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# **RESOLVES**

OF

## **'THE GENERAL COURT**

OF THE

### **Commonwealth of Massachusetts,**

PASSED AT THE SEVERAL

**SESSIONS OF THE GENERAL COURT,**

COMMENCING MAY, 1828, AND ENDING JUNE, 1831.

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Published agreeably to a Resolve of the sixteenth January, 1812.

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**Boston :**

**DUTTON AND WENTWORTH, PRINTERS TO THE STATE.**

.....  
**1831.**

US 12578.1.114  
~~Mass. Dec. 1. 30~~

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**RESOLVES**  
**OF**  
**THE GENERAL COURT**

**OF THE**

**Commonwealth of Massachusetts,**

**PASSED AT THEIR SESSION,**

**WHICH COMMENCED ON WEDNESDAY, THE TWENTY EIGHTH OF MAY,  
AND ENDED ON THURSDAY, THE TWELFTH OF JUNE, ONE  
THOUSAND EIGHT HUNDRED AND TWENTY-EIGHT.**

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*Published agreeably to a Resolve of 16th January, 1812.*

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**TRUE AND GREENE, PRINTERS TO THE STATE.**  
.....  
**1828.**

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**CIVIL GOVERNMENT**  
OF THE  
**Commonwealth of Massachusetts,**  
FOR THE POLITICAL YEAR 1828-9.

---

HIS EXCELLENCY  
**LEVI LINCOLN, ESQUIRE,**  
**GOVERNOR.**

---

HIS HONOR  
**THOMAS L. WINTHROP, ESQ.**  
**LIEUTENANT GOVERNOR.**

---

**COUNCIL.**  
**HON. JOHN ENDICOTT,**  
**AARON HOBART,**  
**JOSHUA DANFORTH,**  
**EZRA MUDGE,**  
**TIMOTHY FULLER,**  
**MARK DOOLITTLE,**  
**JOHN MASON,**  
**BEZALEEL TAFT, JUN.**  
**JONATHAN PHILLIPS.**

---

**EDWARD D. BANGS, ESQUIRE,**  
*Secretary of the Commonwealth.*

**JOSEPH SEWALL, ESQUIRE,**  
*Treasurer and Receiver General of the Commonwealth.*

## **SENATE.**

---

**HONORABLE SHERMAN LELAND,**  
PRESIDENT.

---

### **SUFFOLK DISTRICT.**

Hon. Francis C. Gray,	Hon. John R. Adan,
Thomas Welsh, Jr.	Charles Wells,
James Savage,	Nathan Hale.

### **ESSEX DISTRICT.**

Hon. William W. Parrott,	Hon. Joseph E. Sprague,
John Merrill,	James H. Duncan,
Amos Spaulding,	William Thorndike.

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Luke Fiske,	William C. Jarvis.
Benjamin F. Varnum,	

### **PLYMOUTH DISTRICT.**

Hon. Seth Sprague, Jr.	Hon. Josiah Robbins.
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Thomas French,	

**BRISTOL DISTRICT.**

Hon. William Wood,                      Hon. John A. Parker.  
Howard Lothrop,

**WORCESTER DISTRICT.**

Hon. Edmund Cushing,                      Hon. John W. Lincoln,  
Joseph Davis,                                      Joseph Bowman.  
Joseph Estabrook,

**HAMPSHIRE DISTRICT.**

Hon. Lewis Strong,                      Hon. Samuel F. Dickinson.

**HAMPDEN DISTRICT.**

Hon. James Fowler,                      Hon. Samuel Lathrop.

**FRANKLIN DISTRICT.**

Hon. Elihu Hoyt,                      Hon. Thomas Longley.

**BERKSHIRE DISTRICT.**

Hon. Charles Mattoon,                      Hon. Robert F. Barnard.

**BARNSTABLE DISTRICT.**

Hon. Elisha Pope.

**NANTUCKET DISTRICT.**

Hon. Barker Burnell.

---

PAUL WILLARD, Esq. *Clerk.*

W. P. GRAGG, Esq. *Assistant Clerk.*

REV. WILLIAM JENKS, *Chaplain.*

WILLIAM H. CUTTING, *Page.*



## **HOUSE OF REPRESENTATIVES.**

---

**HON. WILLIAM B. CALHOUN,**  
**SPEAKER.**

---

### **COUNTY OF SUFFOLK.**

*Boston,*

Samuel Appleton,  
Samuel T. Armstrong,  
Samuel Aspinwall,  
Samuel Austin, Jun.  
William Barry,  
Thomas Barnes,  
Levi Bartlett,  
Daniel Baxter, Jun.  
Adam Bent,  
John P. Bigelow,  
Edward Brooks,  
Jonas B. Brown,  
Joseph T. Buckingham,  
David L. Child,  
John B. Davis,  
Franklin Dexter,  
William Foster,  
Henry H. Fuller,  
John C. Gray,  
Jacob Hall,

# HOUSE OF REPRESENTATIVES.

7

*Boston,*

George Hallet,  
Isaac Harris,  
Prentiss Hobbs,  
Francis Jackson,  
Thomas Kendall,  
Edmund Kimball,  
Seth Knowles,  
Winslow Lewis,  
Heman Lincoln,  
John Lowell, Jun.  
William P. Mason,  
James C. Merrill,  
Samuel Perkins,  
Benjamin T. Pickman,  
Benjamin Russell,  
David Sears,  
Israel Thorndike, Jun.  
Simon Wilkinson,  
John T. Winthrop,  
Edmund Wright, Jun.  
Joseph Stowers,

*Chelsea,*

## COUNTY OF ESSEX.

*Amesbury,  
Andover,  
Beverly,*

Thomas Bailey,  
Samuel Merrill,  
Henry Larcom,  
Robert Rantoul,  
Thomas Stephens, Jun.  
Solomon Low,  
Jesse Kimball,  
Robert S. Daniels,  
Nathan Poor,  
Jonathan Shove,

*Boxford,  
Bradford,  
Danvers,*

<i>Essex,</i>	Jonathan Story, 3d.
<i>Gloucester,</i>	Elias Davison,
	Samuel Lane,
<i>Hamilton,</i>	Azor Brown,
<i>Haverhill,</i>	John Bricket, Jun.
	Charles White,
<i>Ipswich,</i>	Joseph Dennis,
<i>Lynn,</i>	William B. Breed,
	James Pratt,
<i>Lynnfield,</i>	Asa T. Newhall,
<i>Manchester,</i>	
<i>Marblehead,</i>	Joseph W. Green,
	William Hawkes,
<i>Methuen,</i>	Benjamin Knight,
<i>Middleton,</i>	John Russ,
<i>Newbury,</i>	Pelatiah Wilkins,
	Moses Little,
<i>Newburyport,</i>	Silas Little,
	Ebenezer Bradbury,
	Caleb Cushing,
	William Faris,
	Whittingham Gilman,
	Stephen W. Marston,
<i>Rowley,</i>	
<i>Salem,</i>	Benjamin Crowninshield,
	Frederick Howes,
	David Moore,
	Stephen C. Phillips,
	Nathaniel L. Rogers,
	Solomon S. Whipple,
	Stephen White,
<i>Salisbury,</i>	

## HOUSE OF REPRESENTATIVES.

9

<i>Saugus,</i>	William Jackson,
<i>Topsfield,</i>	
<i>Wenham,</i>	Paul Porter,
<i>West Newbury,</i>	Daniel Emery,

## COUNTY OF MIDDLESEX.

<i>Acton,</i>	Stevens Hayward,
<i>Ashby,</i>	Ezekiel L. Bascom,
<i>Bedford,</i>	William Webber,
<i>Billerica,</i>	
<i>Brighton,</i>	Francis Winship,
<i>Burlington,</i>	
<i>Cambridge,</i>	Ephraim Buttrick,
	Royal Makepeace,
	William J. Whipple,
<i>Carlisle,</i>	
<i>Charlestown,</i>	Thomas J. Goodwin,
	John Harris,
	Josiah Harris,
	Oliver Holden,
	Leonard M. Parker,
	Philemon R. Russell,
<i>Chelmsford,</i>	Joel Adams,
<i>Concord,</i>	Reuben Brown, Jun.
	Samuel Burr,
<i>Dracut,</i>	Charles Bodwell,
<i>Dunstable,</i>	
<i>East Sudbury,</i>	Micah M. Rutter,
<i>Framingham,</i>	Charles Train,
<i>Groton,</i>	
<i>Holliston,</i>	Elihu Cutler,
<i>Hopkinton,</i>	

*Lexington,*  
*Lincoln,*  
*Littleton,*  
*Lowell,*

*Malden,*  
*Marlborough,*  
*Medford,*  
*Natick,*  
*Newton,*  
*Pepperell,*  
*Reading,*

*Sherburne,*  
*Shirley,*  
*South Reading,*  
*Stoneham,*  
*Stow and Boxboro'*  
*Sudbury,*  
*Tewksbury,*  
*Townsend,*  
*Tyngsborough,*  
*Waltham,*  
*Watertown,*  
*West Cambridge,*  
*Westford,*  
*Weston,*  
*Wilmington,*  
*Woburn,*

Samuel Fisk,  
Silas P. Tarbell,

Elisha Ford,  
Nathaniel Wright,  
Edward Wade,  
Daniel Stevens,  
Turrell Tufts,

John Kenrick,  
William Buttrick,  
Addison Flint,  
Edmund Parker,

Adolphus Whitcomb,  
Thomas Emerson,  
Darius Stevens,  
Elijah Hale,  
Abel Wheeler,

Aaron Warren,  
Daniel Richardson,  
John Clark,  
John Clark,

Abram Prescott,  
Alpheus Bigelow, Jun.

Marshal Fowle,  
Joseph Gardner,

# HOUSE OF REPRESENTATIVES.

11

## COUNTY OF WORCESTER.

*Ashburnham,*

*Athol,*

*Barre,*

*Berlin,*

*Bolton,*

*Boylston,*

*Brookfield,*

*Charlton,*

*Dana,*

*Douglas,*

*Dudley,*

*Fitchburg,*

*Gardner,*

*Grafton,*

*Hardwick,*

*Harvard,*

*Holden,*

*Hubbardston,*

*Lancaster,*

*Leicester,*

*Leominster,*

*Lunenburg,*

*Mendon,*

*Milford,*

*Millbury,*

*New Braintree,*

*Northborough,*

*Northbridge,*

Charles Barrett,

Gardner Ruggles, ●

Jonathan D. Merriam,

Silas Holman,

Alanson Hamilton,

John Homans,

Samuel D. Spurr,

John Eddy,

Francis Perkins,

Isaiah Putnam,

Smyrna Glazier,

Jonathan Wheeler,

Silas Flagg,

Moses Phelps,

Joseph Willard,

Nathaniel P. Denny,

Joel Crosby,

David Wilder,

William S. Hastings,

Elias Forbes,

Philip Delano,

Jonas Bartlett,

*North Brookfield,*  
*Oakham,*  
*Oxford,*  
*Paxton,*  
*Petersham,*  
*Phillipston,*  
*Princeton,*  
*Royalston,*  
*Rutland,*  
*Shrewsbury,*  
*Southborough,*  
*Southbridge,*  
*Spencer,*  
*Sterling,*  
  
*Sturbridge,*  
*Sutton,*  
*Templeton,*  
*Upton,*  
*Uxbridge,*  
*Ward,*  
*Westborough,*  
*West Boylston,*  
*Western,*  
*Westminster,*  
  
*Winchendon,*  
*Worcester,*

William Adams,  
  
Jonathan Davis,  
Samuel Harrington,

Charles Russell,  
Rufus Bullock,  
Roland Wheeler,

Jonas Ball,  
Ebenezer D. Ammidown,  
James Draper,  
Ebenezer Pope,  
Jonathan Wilder,  
Edward Phillips,  
Jonas Sibley,  
Leonard Stone,

Phineas Gleason,

Pardon Keys,  
Timothy Doty,  
Charles Hudson,

Otis Corbet,  
William Eaton,  
Rejoice Newton,

## COUNTY OF HAMPSHIRE.

<i>Amherst,</i>	Enos Dickinson,
<i>Belchertown,</i>	Joseph Bridgman,
	Myron Lawrence,
<i>Chesterfield,</i>	
<i>Cummington,</i>	Amos Cobb,
<i>Easthampton,</i>	John Ludden,
<i>Enfield,</i>	Joshua Crosby,
<i>Granby,</i>	William Belcher,
<i>Goshen,</i>	
<i>Greenwich,</i>	Laban Marcy,
<i>Hadley,</i>	Nathaniel Coolidge, Jun.
<i>Hatfield,</i>	Oliver Smith,
<i>Middlefield,</i>	
<i>Northampton,</i>	Chauncey Clark,
	Oliver Warner,
<i>Norwich,</i>	
<i>Pelham,</i>	Cyrus Kingman,
<i>Plainfield,</i>	John Mack,
<i>Prescott,</i>	
<i>Southampton,</i>	Timothy Clark,
<i>South Hadley,</i>	Joel Hayes, Jun.
<i>Ware,</i>	
<i>Westhampton,</i>	Samuel Edwards, Jun.
<i>Williamsburg,</i>	Elisha Hubbard, Jun.
<i>Worthington,</i>	

## COUNTY OF HAMPDEN.

<i>Blandford,</i>	Israel Cannon,
	Alanson Knox,
<i>Brimfield,</i>	Lewis Williams,
<i>Chester,</i>	Forbes Kyle,



*Granville,  
Longmeadow,  
Ludlow,  
Monson,  
Montgomery,  
Palmer,  
Russell,  
Southwick,  
Springfield,*

Patrick Boies,  
Seth Taylor,  
  
Jonathan Torrey,  
Moses Parks,  
Daniel King,  
Abel Tuttle, Jun.  
Joseph M. Forward,  
George Bliss, Jun.  
William B. Calhoun,  
William Child,  
William H. Foster,  
Frederick A. Packard,  
Jesse Pendleton,  
Simon Sanborn,  
Henry Bliss,

*Tolland,  
Wales and Holland,  
West Springfield,  
Westfield,  
Wilbraham,*

Caleb Rice,  
Jesse Farnum,  
Luther Brewer,

## COUNTY OF FRANKLIN.

*Ashfield,  
Barnardston,  
Buckland,  
Charlemont,  
Coleraine,  
Conway,  
Deerfield,  
Gill,  
Greenfield,  
Hawley,*

Joseph Field,  
Samuel Pierce,  
Joseph Avery,

Ambrose Ames,  
Edmund Longley, Jun.

## HOUSE OF REPRESENTATIVES.

15

<i>Heath,</i>	Ephraim Hastings,
<i>Leverett,</i>	Roswell Field,
<i>Leyden,</i>	Elisha Chapin,
<i>Montague,</i>	
<i>New Salem,</i>	Ebenezer Torrey,
<i>Northfield,</i>	Ezekiel Webster, Jun.
<i>Orange,</i>	
<i>Munroe,</i>	
<i>Rowe,</i>	Noah Wells,
<i>Shelburne,</i>	
<i>Shutesbury,</i>	
<i>Sunderland,</i>	
<i>Warwick,</i>	Jonathan Blake, Jun.
<i>Wendell,</i>	
<i>Whately,</i>	

## COUNTY OF BERKSHIRE.

<i>Adams,</i>	Richmond Brown,
	Edward Richmond,
	Henry Wilmarth,
<i>Alford,</i>	Daniel Barrett,
<i>Becket,</i>	Benjamin C. Perkins,
<i>Cheshire,</i>	James Brown,
<i>Clarksburg,</i>	
<i>Dalton,</i>	
<i> Egremont,</i>	Ephraim Baldwin,
<i>Florida,</i>	
<i>Great Barrington,</i>	
<i>Hancock,</i>	Caleb Eldridge,
<i>Hinsdale,</i>	Ichabod Emmons,
<i>Lanesborough,</i>	Henry Shaw,
<i>Lee,</i>	Charles M. Owen,
	William Porter, Jun.

*Lenox,*  
*Mount Washington,*  
*New Ashford,*  
*New Marlborough,*  
*Otis,*  
*Peru,*  
*Pittsfield,*

*Richmond,*  
*Sandisfield,*

*Savoy,*  
*Sheffield,*  
*Stockbridge,*  
*Tyringham,*  
*Washington,*  
*West Stockbridge,*  
*Williamstown,*

*Windsor,*

Charles Worthington,

Warren Wheeler,  
 Timothy Jones,  
 David Tuttle,  
 Daniel B. Bush,  
 Daniel H. Francis,  
 Samuel M. McKay,  
 Thomas B. Strong,  
 Erastus Rowley,  
 Samuel Merrill,  
 Thomas Twining,  
 Edward Babbit,  
 Parker L. Hall,  
 Theodore Sedgwick,  
 Eli Hale,  
 Philip Eames,  
 Luther Plumb,  
 Lyman Hubbell,  
 Samuel Smith,  
 Jephthah Whitman,

#### COUNTY OF NORFOLK.

*Bellingham,*  
*Braintree,*  
*Brockline,*  
*Canton,*  
*Cohasset,*  
*Dedham,*  
  
*Dorchester,*

Minot Thayer,  
 Joshua C. Clark,  
 Thomas Tolman,

Richard Ellis,  
 Horace Mann,  
 Samuel P. Loud,

## HOUSE OF REPRESENTATIVES.

17

*Foxborough,  
Franklin,  
Medfield and Dover,  
Medway,  
Milton,  
Needham,  
Quincy,  
Randolph,  
Roxbury,*

John Sherman,  
Lewis Fisher,  
William Felt,  
Joseph L. Richardson,  
Francis Davenport,

John Souther,  
Seth Mann,  
Isaac Davis,  
Samuel Guild,  
Elijah Lewis,  
Adam Smith,  
Benjamin P. Williams,

*Sharon,  
Stoughton,  
Walpole,  
Weymouth,  
Wrentham,*

Abner Drake,  
Joseph Hawes,  
Leonard Tirrell,  
Ebenezer Blake,  
Josiah J. Fiske,  
George Hawes,

## COUNTY OF BRISTOL.

*Attleborough,*

Elkanah Briggs,  
George Ellis,  
Israel Hatch,

*Berkley,  
Dartmouth,  
Dighton,  
Easton,*

Bradford Howland,

*Fairhaven,*

Oliver Ames,  
Elijah Howard, Jun.  
Nathaniel S. Spooner,  
James Taber,  
Joseph Tripp,

*Freetown,**Mansfield,**New Bedford,**Norton,**Pawtucket,**Raynham,**Rehoboth,**Seekonk,**Somerset,**Swansey,**Taunton,**Troy,**Westport,*

Thomas Bump,

Elnathan P. Hathaway,

Hezekiah Skinner,

Thomas A. Green,

Cornelius Grinnell,

Ephraim Kempton,

Charles W. Morgan,

William C. Nye,

Lemuel Perry,

Laban M. Wheaton,

James C. Starkweather,

Samuel Wilbur, Jun.

Joseph Nichols,

Robert Daggett,

Wheaton Luther,

John Buffington,

Francis Baylies,

Jones Godfrey,

Silas Hall,

Abiathar Leonard,

Ichabod Lincoln,

William A. F. Sproat,

Enoch French,

Tillinghast Almy,

Nathan C. Brownell,

Abner B. Gifford,

## COUNTY OF PLYMOUTH.

*Abington,**Bridgewater,*

Benjamin Hobart,

Micah Pool,

Avery Fobes,

Artemas Hale,

<i>Carver,</i>	John Savary,
<i>Duxbury,</i>	Phineas Sprague,
	Gershom B. Weston,
<i>East Bridgewater,</i>	
<i>Halifax,</i>	
<i>Hanover,</i>	Robert Eells,
<i>Hanson,</i>	Thomas Hobart,
<i>Hingham,</i>	Benjamin Thomas,
<i>Hull,</i>	
<i>Kingston,</i>	Thomas P. Beal,
<i>Marshfield,</i>	
<i>Middleborough,</i>	Seth Eaton,
	Zechariah Eddy,
	William Nelson,
<i>North Bridgewater,</i>	Abel Kingman,
<i>Pembroke,</i>	
<i>Plymouth,</i>	Isaac L. Hedge,
	Nathaniel Russell,
<i>Plympton,</i>	Jonathan Parker,
<i>Rochester,</i>	Wilson Barstow,
<i>Scituate,</i>	Samuel Deane,
	Jesse Dunbar, Jun.
<i>Wareham,</i>	Ichabod Leonard,
<i>West Bridgewater,</i>	Samuel Dunbar,

## COUNTY OF BARNSTABLE.

<i>Barnstable,</i>	Naler Crocker,
	Jabez Howland,
<i>Brewster,</i>	Benjamin Berry,
<i>Chatham,</i>	Joseph Atwood,
<i>Dennis,</i>	Oren Howes,
	Zohith Howes,

## HOUSE OF REPRESENTATIVES.

*Eastham,*  
*Falmouth,*

*Harwich,*

*Orleans,*  
*Provincetown,*  
*Sandwich,*  
*Truro,*  
*Wellfleet,*  
*Yarmouth,*

Jesse Collins,  
Thomas Fish,  
Elijah Swift,  
Josiah Chase,  
Nathan Underwood,  
Daniel Comings,  
Isaac Small,  
Benjamin Burgess,

James Crowell,  
John B. Doane,

## DUKES COUNTY.

*Chilmark,*  
*Edgartown,*  
*Tisbury,*

Harrison P. Mayhew,  
Charles Butler,

## COUNTY OF NANTUCKET.

*Nantucket,*

Peter Chase.

---

PELHAM W. WARREN, Esq. *Clerk.*  
REV. HENRY WARE, JR. *Chaplain.*

---

JACOB KUHN, *Messenger to the General Court.*  
ELIJAH W. CUTTING, *Assistant Messenger.*  
CHARLES PITTS, *Page to the House.*

# RESOLVES

OF

## THE GENERAL COURT

OF THE

### COMMONWEALTH OF MASSACHUSETTS,

PASSED AT THEIR SESSION,

WHICH COMMENCED ON WEDNESDAY, THE TWENTY EIGHTH OF MAY,  
AND ENDED ON THURSDAY, THE TWELFTH OF JUNE, ONE  
THOUSAND EIGHT HUNDRED AND TWENTY-EIGHT.

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## GOVERNOR'S SPEECH.

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REPRESENTATIVES' CHAMBER, JUNE 2, 1828.

*At a quarter past 11 o'clock, A. M. agreeably to assignment, the two Houses assembled in Convention, when His Excellency the Governor came in, preceded by the Sheriff of Suffolk, and attended by His Honor the Lieutenant Governor, the Honorable Council, and the Secretary, Treasurer, and Adjutant General, and delivered the following*

## SPEECH :

*Gentlemen of the Senate, and*

*Gentlemen of the House of Representatives :*

THE Government of the Commonwealth having been organized, for the ensuing political year, pursuant to the provisions of the constitution, it has devolved upon us to



enter upon the duties assigned to our respective stations, and to discharge the high responsibilities which we have voluntarily assumed to our immediate Constituents, and to the Country, of which the Commonwealth is a part. In respectful compliance with the invariable usage on such occasions, I now present myself personally, in this Convention, to express that sense of obligation with which I am deeply and gratefully impressed for the continued manifestation of the confidence of my Fellow Citizens, to repeat the assurances, and to renew, before the Representatives of the People, the pledges of faithfulness in intention and of earnestness in endeavour, to discharge with impartiality, and according to the measure of my ability, the elevated Office with which I am again, and most greatly, honored. Nor is this improvement of opportunity to be regarded as a useless, or merely formal ceremony. It may not be deemed inappropriate to our relations to each other and to the State, that in the commencement of an association in public labors, and on entering upon common engagements, such intercourse should be had by those who are to co-operate in the promotion of the general welfare, and the success of whose individual efforts depends as much upon the influence of a personal confidence in each other, as upon consentaneous sentiment. There is a wholesome sympathy excited, even by this brief meeting together, an involuntary but kindly conciliation of mutual respect, a silent but sacred resolution of mutual assistance in official duty. Surely, if but for such tendencies alone, the time which is thus occupied is not to be regretted, although neither information nor profit, otherwise, should result from the occasion. The very assemblage of the various Departments and Officers of

the Government is an interesting and instructive spectacle in itself. It indicates that harmony in purpose, without which there is nothing of wisdom in public Councils, that concert and co-operation in action, without which there is nothing effectual to the public service.

But little more than two months have elapsed since the prorogation of the last Legislature. To that period, whatever matters were known to me to require communication were officially submitted for public consideration. During the recess, the difficult and delicate duty of making numerous appointments, which the laws of recent enactment devolved upon the Executive, have, as promptly and so far as was found practicable, been executed. Under the provisions of the act relating to County Commissioners, appointments have been made in all the Counties, save one, and in this instance of exception, the considerations which induced to the delay, are now satisfied. A commission for examining and stating the accounts of the State Prison has been constituted, and a report of the result of the investigation is expected, in season to be laid before you, at the present session. The Executive Government of the Prison has also been re-organized by the designation of distinguished individuals to compose the Board of Inspectors, by the appointment of a skilful Physician, and of a Chaplain whose recommendations import successful experience and peculiar qualifications for the duties of that highly interesting station, and by the reappointment of the former Warden. The execution of the law has been committed to the charge of those who were known to be deeply excited to give to the system of contemplated reform the most faithful experiment, and there is reason to expect, that under the admonitions of the

past, and with the arrangements for the future, such disappointments as have been heretofore suffered, whether in the pecuniary results of the employment of the convicts, or in the moral effects of penitentiary discipline, will not recur, to be the occasion of further distrust in the corrective power of the Institution, or a tax upon the Treasury of the State. Yet the entire benefit of the change may not, at once, be realized. Until the completion of the new Prison, which, under the strenuous exertions of the Warden, is rapidly carried forward, the pernicious influences of a corrupting intercourse are not to be prevented. The solitary cell alone can withdraw the depraved offender from a hardening correspondence with kindred vice, and, by cutting off the sources of extraneous excitement, leave his mind to the occupation of reflection, to the reprovings of an awakened conscience, and to the successful application of means for his reformation and moral improvement.

Several Resolves of the Legislature referring the management and disposition of an estate in Charlestown, which had come to the Commonwealth by escheat from one John N. Rudberg, in default of heirs, to the direction of the Executive, have been complied with, by causing possession to be taken, and a sale to be made of the property. For these purposes, the Treasurer of the Commonwealth was constituted a special Agent for the Government, and has reported to me a balance of proceeds from the sale, after deducting expenses, of two thousand nine hundred and thirty one dollars and eighty-one cents, which, in money and satisfactory securities, he has paid into the Treasury. Care has been taken in the conveyance, to protect the Commonwealth against responsibility, beyond

the amount of the consideration for the purchase, without interest, in the possible event of a failure or defect of title.

On the opening of the present season, the surveys and examinations of Country, upon the proposed Routes for Rail Roads, were recommenced, under the superintendence of the Directors of Internal Improvements, appointed by the last Legislature, and have been prosecuted with diligence and successful application, to the present time. Various courses of the route from the City of Boston to Providence have been run out by the Engineer, the levels of Country taken, and the preferable direction selected and accurately defined. Estimates of expense in constructing the road, and of the probable use which would be made of it, are in preparation; and it is anticipated, that all the information which will be required, to determine the expediency of pursuing this project of improvement, may be presented in the Reports, which will be laid before you during the present session. An application made to the Legislature of Rhode Island, for authority to extend the work within the Jurisdiction of that Government, was received with expressions of the most satisfactory encouragement. The usual order of public notice was obtained, returnable to the next session, to be held the present month, with liberty, in the mean time, to prosecute the surveys, and take the necessary measures for maturing the subject for a favorable decision.

A comparison of the obvious inducements to this enterprise, with the prospects of advantage from others of like kind, which have been undertaken in various parts of this Country and in Europe, cannot fail to produce the strongest convictions of its importance and success. There can

hardly be found a distance of way, to the same extent, more favorable to this species of improvement. Although not materially farther than the present course of travel, the face of the Country is less unequal. There are population, and business, and occasion, for the transportation of persons and of goods, to require and to support the accommodation, and with the most reasonable tolls, to render the expense of its construction a profitable investment. Both the time and the manner of executing the improvement are with the wisdom of the Legislature. That it should be encouraged by the Government, and speedily commenced, I cannot hesitate to recommend. A joint concern with a corporation to be created, on a subscription to some proportion of stock, by the State, would unite the vigilance of individual interest with a confidence in public agency, and ensure its most effectual prosecution.

From the greater extent of labors to be performed upon the Routes from the City of Boston to the Hudson, although much progress has been made in the work, no precise and definite results are to be expected, at the present time. The intermediate distance of country between the surveys, which were reported to the last Legislature, has been examined, and the profiles and plans of that Route completed. But other routes promising a favorable comparison, if not a preference in direction, are yet to be attended to. Considerable advances have also been made towards an estimate of the expense of construction and the probable amount of transportation. The magnitude of the object, and the great interest it excites, demand a cautious and most faithful and thorough course of investigation. Sufficient, however, has been ascertained

to confirm a previous opinion, *that a Rail Road from the City of Boston to the Hudson, by at least one route, is reasonably practicable*, and to justify the Legislature in continuing those measures of examination and enquiry, which are indispensable to a judicious and satisfactory decision upon the expediency and best mode of its construction. In relation to so great an enterprize, those general considerations of advantage to country, from facilities to intercommunication between distant places, from affording new markets to produce, enhancing the value of property, encouraging industry and increasing population by affording employment to labor, are more especially to be regarded, than any direct and immediate profits from the interest of money, which shall be expended. All these benefits may confidently be looked for in the work which has been proposed. Nothing short of a personal knowledge of the country can furnish a proper and adequate estimate of its immense capacity for business and improvement. An interior trade, *tenfold its present amount*, might be had with the sea-board, but for the expense of transportation. Lands would receive a richer and more general cultivation, if their products could reach a market. Manufactures would be established, wherever the tax upon the carriage of materials and of fabrics did not overbalance the economy, otherwise, of their inland location. It may safely be assumed, that to many of these existing establishments, the saving of expense in transportation, by a Rail Road, would exceed the value of all the protection which the most liberal tariff of duties, ever proposed, would afford. Here then is a measure of encouragement to domestic industry within our own control;—a system of internal improvement, opposed to no constitutional scru-

ples, of which no interest can complain, and by which all interests will be promoted.

The Legislature of New York, in the spirit of liberal and enlightened enterprize, which has ever so highly distinguished the Councils of that great State, on being made acquainted with the proceedings which had been had in Massachusetts, forthwith passed a law, providing for the appointment of Commissioners, with the most ample powers in relation to all measures necessary to be adopted, in exploring routes, completing surveys, and locating the road from the point of intersection with the line of the State to its termination on the Hudson; and by explicit enactment, further pledged the Legislature, that, "*if the State of Massachusetts shall construct a Rail Road from Boston to the Eastern Boundary of this State, either directly, or through the medium of an incorporated Company, the Legislature of this State will construct it from thence to the Hudson River, or grant to the State of Massachusetts, or some authorized Company, the right of so doing and taking tolls thereon, under proper restrictions as to jurisdiction.*" Thus encouraged and strengthened to the undertaking, new inducements are added, to desire and to seek its accomplishment.

A sense of duty impels me to throw myself upon your indulgence, in earnestly directing your attention, at this unusual period, to the state of the Treasury. The obligation upon the Executive, continually to regard the concerns of the Commonwealth, requires him to be possessed, at all times, of that knowledge of its condition, which can only, occasionally, be communicated to other departments of the Government. The fiscal concerns of

the State have, commonly and most conveniently, been the subject of arrangement, in the winter session, and the annual exhibit of the Treasury then made, is usually the basis of the necessary provision of revenue for the year. But any omission in this respect, at one opportunity, may well be supplied at another, and the occasion for doing it, at this time, I now beg leave respectfully to submit to your consideration, and to the responsibility of your decision.

At the close of the last year, the balance in the Treasury but little exceeded the sum of Twenty Thousand Dollars. This amount was then chargeable with arrearages of dues from the Commonwealth, for which, almost immediately, it was absorbed in warrants presented for payment. It was shown, by reference to the accounts of several preceding years, that the annual expenditures had considerably exceeded the receipts, and from official estimates of the Treasurer it was made apparent, that, in the neglect to provide additional income, a deficiency would continue to result and must be constantly augmenting. To meet the pressing occasions of the Government, at that time, the Treasurer was authorized to borrow, to the amount of *One hundred and fifty thousand Dollars*, in anticipation of the receipts available from the Auction duties and the semi-annual payment of the Bank tax, in April. This authority has been exercised, almost to its full extent. It now appears, that after applying Seventy thousand Dollars of the Bank taxes and Auction duties, subsequently received, towards the repayment of the Loan, and with a balance of cash in the Treasury, *less than at the commencement of the year*, there remains a debt against the Commonwealth of SIXTY THOUSAND DOLLARS. It must



be well understood, that nothing is again payable into the Treasury, except an inconsiderable sum of Auction duties, until the semi annual instalment of the Bank tax, in October next. In the mean time, the debit will be increased by the expenses of the present session of the Legislature, the accruing charges of the civil list, and such special appropriations as the service of the Government may be found to require. There can be little doubt, that, at the end of the year, unless some extraordinary relief is now afforded, a large balance of debt will exist, beyond any funds in the Treasury to redeem, or any appropriations to satisfy. With what views of policy this can be permitted, I am wholly unable to comprehend. It would seem hardly consistent with the dignity and independent sovereignty of a State, in the midst of plenty and abundant resources, to be constantly anticipating a periodical receipt of means, by a resort to temporary expedients, in credits and loans, and like an improvident and thriftless individual, to be alternately borrowing and paying, and in debt and dependence to the last. From such humiliation there will be no escape, but in meeting, fairly and promptly, the occasion of our wants, and effectually drawing upon the resources of the State for their constant and adequate supply. I am not aware, that there is any thing of prodigality in the expenditures of the Government to be reformed, or that much would usefully be saved by any measures of retrenchment which can be proposed. It is true indeed, that the public servants, those laborers, who, of all others, if faithful, are most worthy of their hire, might be stinted in their reward;—that the munificence of the Government, in that noble deed of charity which supports and educates a class of the most unfortunate of

our Fellow Beings, might be withheld;—that the liberality which gives encouragement to Agriculture and Manufactures, might be withdrawn, and all appropriations for public improvements henceforth, be denied. But what wise man would desire, or what independent enlightened Legislature could consent to this? The present embarrassment has not so much resulted from unusual appropriations, as from the defect of former sources of revenue. The loss of interest upon a large amount of public stocks, expended in the late war, and the omission of the grant of an annual State tax, for several successive years, are its more obvious occasions. Had only this latter customary measure been continued, there would have been no deficit. I now distinctly recommend a recurrence to it, for a sufficient amount to supply the exhausted Treasury. If a tax shall be granted at the present session, the assessment of it may conveniently be added to the other taxes of the year, for municipal purposes, and its collection seasonably made, to meet a new loan on short credit, which it will be indispensably necessary immediately to obtain. It is much truer of Governments than of Individuals, that the want of money is the absence of power. It has a tendency, in the former, to repress the public energies, to discourage a generous spirit of enterprize, and to produce contracted and false views of obligations to Country. It is anxiously to be looked to, that such effects upon the great and growing interests of this Commonwealth are not now experienced. That mere poverty of the Treasury, while there is abundance in the Community, shall not be suffered to defeat purposes of the most desirable accomplishment. That a profitless objection of want of present means, with no effort to obtain

them, may not arrest the progress of those improvements, which will create wealth, multiply resources, and give increased prosperity to the State. Whatever difficulty yet exists, is within the immediate power of the Legislature to control. Let a requisition be made for the necessary supplies, and the hands and hearts of the people are open to afford them.

The early recurrence of the constitutional period for the choice of President and Vice President of the United States requires the performance of an important duty by the Legislature, at the present session, in directing the manner of appointing Electors on the part of this Commonwealth. With a knowledge of the almost universal sentiment of your Constituents to direct you, this will be no difficult service. Confidence in the republican principles and eminent qualifications of the present Chief Magistrate, experience of his capacity and devoted fidelity in the discharge of the high trusts with which he has been invested, and a cordial approval of the measures, generally, of his administration, have created for him a preference with the people of Massachusetts, which they will doubtless claim the opportunity fully to express. Yet we cannot be indifferent to the diversity of opinion which exists among our Fellow Citizens, in other parts of the Union. It is indeed deeply to be lamented, that, on a subject of common and equal concern to the whole nation, a spirit should any where be indulged, in reference to competitors for this exalted station, unfavorable to the patriotic exercise of the important duty of selection;—that the bitterness of discordant feelings, a jealousy of sectional interests, political prejudices, and the exclusiveness of party associations, should be excited, to impair the force

of considerations of personal qualification, and to endanger a just regard being had to capacity for the public service. With whatever anxiety the election may be regarded, the sentiments which are expressed, and the measures which may be pursued to effect the issue, will be of more eventful moment. Republicans have no fears that the virtue of the people will not be effectual to restrain, or to correct, the abuses of a brief official authority. They have no threats against possible disappointment in the canvass. Exercising their privileges with intelligence, and discharging their duty independently as freemen, they will respectfully acquiesce in any constitutional result. They are not of the class of politicians who would set the value of the Union against the issue of a ballot. Those who would madly do this, know little of its cost. Theirs were not the sacrifices at which it was purchased, nor theirs the blood with which it is cemented. Better spirits formed, and, thank Heaven, there are brave spirits yet, to defend it. The idle practice, upon every occasion of discontent or excitement, of threatening the dissolution of the Union, should be indignantly reprov'd. The admonitory counsels of the Father of his Country should be reiterated to the ear, and to the heart, of every Citizen of the Republic. The people otherwise may not heed, because they will not see the danger, until that which is made familiar in word shall come to be endured in very deed.

And who are they who would sacrifice this fair inheritance of freedom, of civil institutions, of personal security, and of national happiness, to the fierce dominion of party, or to the fancied advantages of a predominating sectional power? Will the hardy and vigorous Yeomanry of the

land, the intelligent and enterprising Artizans, Manufacturers and Mechanics, in the busy workshops of industry and invention, whose arms are nerved to labor, and whose independence is in their condition, be the only sufferers? Can the salutary protection of a presiding General Government be withdrawn from one portion of Country, and the authority of local Sovereignities be exercised, with more benignant influences, in another? Let there be no such delusion. It is the very extent of our territory, the variety of its soil and products, and the diversity of habits and pursuits among the people, giving occasion for trade, exchange and intercourse, which create necessity for union. The baleful consequences of division will be confined to no section of country. They will be visited in paralyzing jealousies, alike upon the East and upon the West. They will overwhelm with appalling apprehensions the white population of the South. There is no security to liberty, but in this bond of connection. In a mutuality of interests and the obligation to common protection consist our only strength—the prosperity, as much and as truly, of the parts as of the whole, of each particular State, as of the entire Nation. Let him then be accounted an enemy to his Country, who would lightly esteem the integrity of the Union; false to the people, who would arrest their career of glory, by inculcating sentiments, or inducing to measures, which may tend to its destruction.

The official promulgation of a Convention, which has been entered into between the Governments of the United States and of Great Britain, pursuant to an article in the Treaty of Ghent, respecting the settlement of our North Eastern Boundary, affords a favorable prospect of the ultimate amicable termination of a controversy, which

has seriously threatened to impair the enjoyment of the rights of this and a sister State, and to disturb the peace of the Nation. Under the management of the very able Commissioners who have been appointed by the General Government to vindicate our just claims to the Territory in dispute, we may confidently rely, that the interest which this Commonwealth has in the lands, will be faithfully protected. There probably will be no occasion for any Legislative action, on our part. That this question, however, may be fully presented to your consideration, such correspondence as I have had on the subject, with the documents which I have received, not before communicated to the Legislature, will be laid before you. Upon the suggestion of the Secretary of State of the United States, I have already caused an examination to be made in the archives of this Commonwealth, for such ancient records and papers as were supposed to be important to the maintenance of our title, and have forwarded copies, duly authenticated, for the use of the Commissioners.

I have to advise the Legislature, that a vacancy has occurred in the office of Major General of the seventh Division of Militia, by the resignation and honorable discharge of Major General John Whiting, who, for many years, has sustained that command with distinguished reputation and public usefulness.

There are other topics of great interest and moment, which cannot fail to receive your attention, at the earliest convenient season. In a session, by usage almost exclusively appropriated to the organization of the Government, and for the disposal of such subjects only, as do not admit of postponement, it would be practically useless to press upon you their discussion. Whenever measures,

which have already repeatedly been proposed, for the advancement of the system of education, for the greater encouragement of domestic skill and industry, for the relief, reform, and higher efficiency of the Militia, and for an adequate supply of revenue from established and permanent sources, can be matured by the councils of the Legislature, I doubt not, they will meet your most ready adoption. In the early arrangements of our ancestors, having reference to these objects, the foundations were laid of that prosperity and glory, which have hitherto so highly distinguished the condition of the Commonwealth. The happiness of the people rests on the basis of *progressive* improvement. In the advance of society, with a rapid increase of population, in the multiplied pursuits and infinitely varied interests of an enterprising community, there needs must be occasion for enlarged capacities for intellectual attainment, and a wider scope for the exercise of physical energies and action. To provide for these is the privilege of the present age. The example of our venerated Fathers and Predecessors has pointed to us the course, and their principles will guide us to the end of all our public duties. Their footsteps were ever in the pathway of a noble disinterestedness. In severe privations, and through sacrifices and sufferings, they attained to the possessions, which, without toil and in personal comfort, we receive as an inheritance. If we are but faithful to their counsels and just to our true interests, with the continuance of that divine blessing which conducted them in safety, and on which we would humbly rely, we too shall find security to our present enjoyments, and have the best assurance of providing for the happiness, and meriting the gratitude of our posterity.

LEVI LINCOLN.

## MESSAGE.—COUNTY COMMIS. IN ESSEX. 37

### CHAP. I.

*To the Honorable Senate, and  
House of Representatives.*

The Secretary of the Commonwealth will lay before you the Documents relating to the North Eastern Boundary, referred to in the communication which I had the honor personally to offer to your consideration.

LEVI LINCOLN.

*Council Chamber, June 3, 1828.*

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### CHAP. II.

*Resolve for a special session of County Commissioners in  
Essex.*

June 3, 1828.

*Resolved*, That the County Commissioners, for and within the County of Essex be, and they hereby are authorized and empowered to hold a special meeting, at the Court House in Ipswich, in said County, on the second Tuesday of June next, for the purpose of acting upon all such business as would have regularly come before them if the meeting of said Commissioners had been holden on the second Tuesday of April now last past, agreeable to the provisions of an Act passed the twenty sixth day of February in the year of our Lord one thousand eight hundred and twenty eight, entitled "An Act to establish County Commissioners, and to repeal the several Acts establishing Courts of Sessions, and in addition thereto, and the Act establishing Commissioners of Highways."



CHAP. III.

*Resolve in favour of Francis Wilby.*

June 7, 1828.

*Resolved*, On the petition of Francis Wilby, and for the reasons therein set forth, that the Sheriff and Gaoler of the County of Suffolk be, and they hereby are authorised and directed, to release the said Wilby from confinement, under and by virtue of a judgment and execution obtained against him by this Commonwealth; and that no execution issued, or to be issued hereafter, upon or by virtue of the said judgment, or upon or by virtue of any judgment that may be thereon obtained, shall be levied on the body of said Wilby;—*Provided*, that nothing herein contained shall operate as a release or discharge of the judgment aforesaid.

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CHAP. IV.

*Resolve on the Petition of Josiah Bardwell and others.*

June 7, 1828.

On the Petition of Josiah Bardwell, of South Hadley, Guardian of all the minor children of Bathsheba Wail, late of said South Hadley, deceased, and Silas Stedman, of Springfield, Guardian of Titus Cooley, minor son and only heir of Titus Cooley, late of said Springfield, deceased, and Chloe Cooley, Guardian of all the children and heirs, being minors, of Calvin Cooley, late of said Springfield, deceased, all which minors are grandchildren of Ariel Cool-

ey, late of said South Hadley, deceased ;—for reasons set forth in said Petition,—

*Resolved*, That said Josiah Bardwell, Silas Stedman, and Chloe Cooley, Guardians as aforesaid, be and hereby are authorised and empowered, in conjunction with the heirs of said Ariel Cooley who are of age, to consent, on behalf of said minor children, to the rescinding and annulling a certain contract made in the year of our Lord one thousand eight hundred and six, by and between the said Ariel Cooley, and the Proprietors of the Locks and Canals on Connecticut River, and the cancelling the Indentures in evidence of said contract ; and in order to carry into effect an agreement made by and between the heirs of said Ariel Cooley, who are of age and now living, and the said Josiah Bardwell, Silas Stedman and Chloe Cooley, Guardians of said minor children, and the said Proprietors of the Locks and Canals on Connecticut River, that the said Josiah Bardwell be and hereby is authorised and empowered, in his said capacity, to grant, bargain and convey to said Proprietors, all the right, interest and estate, which the minor children of said Bathsheba have in a certain tract of land, and the buildings thereon lying and being, in said South Hadley, and bounded as follows, viz. beginning on the east bank of Connecticut River at the south west corner of Ephraim and Eldad Smith's land, thence east five degrees north by said Smith's land, eighteen rods to a stake and stones, thence southerly by land of the heirs of Moses Gaylord, twenty six rods, thence easterly by land of said heirs, thirteen and an half rods, thence south  $2^{\circ} 20'$  east about seventy five rods, to a point forty feet from the Canal of said Proprietors, thence northerly by said Canal, and forty feet distant therefrom, to the north end of the same, thence west to said River, thence northerly by said River, to the first bounds ;—and that said Josiah Bardwell, Silas Stedman, and Chloe Cooley, in their capacity as Guardians of said minor children, respectively, be and hereby are authorised and empowered to grant, bargain, sell and convey to the Proprietors of the Locks and Canals on Connecticut River, all the right, interest and estate the said

minor children respectively now have in and to the following tracts and pieces of land, to wit, six acres of land being partly in Northampton and partly in West Springfield, lying together and bounding easterly on Connecticut River; also all the land in South Hadley lying between the said Canal and Connecticut River, from the head or northerly end of said Canal and the land of Josiah Bardwell, near the southerly end of said Canal;—also in and to a certain farm of land in West Springfield, bounding easterly on Connecticut River at the Falls of Willimansit, called and known by the name of Ingram Farm, and lying all together, and containing about one hundred and twenty acres, and the buildings thereon standing;—and that said Josiah Bardwell, Silas Stedman, and Chloe Cooley be authorised and empowered to make, execute and deliver sufficient deeds of the interest, right and estate of those for whom they are Guardians, as aforesaid, according to their respective interests, rights and estates in said lands to the said Proprietors; they, the said Josiah, Silas, and Chloe, severally giving bonds, with sufficient surety or sureties, to the Judges of Probate, by whom their respective letters of Guardianship were issued, to account for such sums of money as they may respectively receive in consideration of the said lands so conveyed; *Provided*, that the said Judges of Probate respectively shall first certify, in writing, their opinion to each of said Guardians, of the expediency of making said sales and conveyances as aforesaid; and it shall be the duty of the Judges of Probate aforesaid, to examine, approve or disallow such bonds as may by said Guardians be presented, as in their discretion they may see fit.

## CHAP. V.

*To the Honorable Senate, and  
House of Representatives ;*

I herewith transmit a Report made to me by the Commissioners appointed to audit the accounts of the State Prison, which exhibits a detailed statement of the result of their investigations, so far as, under the authority given to them, they are enabled to proceed. But as they suggest, that it is not in their power to make a full and complete Report of the situation of the finances of the Prison, by a retrospective relation to the precise state and value of the stock on hand, credits and property of the Institution, on the first of April last, to which period their investigations were limited by the Resolve of the Legislature ; and that, by carrying forward the accounts to the 30th of September next, when the annual statement will be made up, the desired result may be satisfactorily obtained. I recommend an extension of their Commission, in such manner, as to afford them opportunity to pursue their examination to the end of the year, and make their Report accordingly.

LEVI LINCOLN.

*Council Chamber, June 7, 1828.*

## CHAP. VI.

*Resolve on the petition of Caleb V. Allen, of Mendon, in the County of Worcester, Guardian of Nathan George, a minor.*

June 9, 1828.

*Resolved*, That the said Caleb V. Allen, for reasons set forth in said petition, be, and he hereby is authorised and empowered, to make and execute to Welcome Farnum and Darius D. Farnum of said Mendon, a deed, with suitable covenants, conveying to them, their heirs and assigns, the right, easement and privilege, of erecting, keeping and maintaining, at all times hereafter, a good and sufficient dam upon the land of the said Nathan George, situate in the southerly part of Mendon, extending on said land from the north bank of the Blackstone River to the thread or centre of said River, where it comes to land of the said Farnums, and on the same site where the dam erected by the said Farnums above their mills on said river now stands, also the privilege of using forever hereafter the head of water, that may be raised and kept up by said dam, for the purpose of driving and carrying any mills or water works that have been, or shall be erected by the said Farnums, their heirs or assigns, and of passing and repassing in and upon the land of the said Nathan George, adjacent to said dam, for the sole purpose of erecting, repairing and maintaining, at all times, a dam of the description and on the site above specified, said deed to be made upon payment, by the said Farnums, of the sum of five hundred dollars, and interest thereon, from April 15, 1825, and not otherwise. And such deed, so made by the said Caleb V. Allen, as Guardian as aforesaid, shall pass a good and valid title to the said Welcome, and Darius D. Farnum, their heirs and assigns. *Provided*, the said Caleb V. Allen, first give a bond to the Judge of Probate for the County of Worcester, with sufficient sureties, in the pen-

## SELECTM. OF E. BRIDG.—TREAS. OF COM. 43

alty of one thousand dollars, conditioned that he will vest the proceeds of said sale in some safe and productive stock, or put the same out at interest, on good security, and that he will faithfully account for the same, when the said minor shall arrive at full age.

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### CHAP. VII.

*Resolve on the Petition of the Selectmen of East Bridgwater.*

June 9, 1828.

On the Petition of the Selectmen of East Bridgwater, praying for the appointment of a Guardian to Anna Richards, a native Indian of the Pembroke tribe;—

*Resolved*, That Azor Harris, of East Bridgwater, in the County of Plymouth, be, and he is hereby appointed a Guardian to said Anna Richards, with all the powers which are, by the laws of this Commonwealth, given to Guardians in other cases; *Provided*, that said Azor Harris do first give sufficient bonds to the Judge of Probate for the County of Plymouth, for the faithful performance of the trust reposed in him by said appointment.

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### CHAP. VIII.

*Resolve authorising the Treasurer of the Commonwealth to borrow the sum of one hundred thousand dollars.*

June 9, 1828.

*Resolved*, That the Treasurer of this Commonwealth be, and he is hereby authorised and directed, to borrow of

any of the Banks in this Commonwealth, or any Corporation therein, or of any individual or individuals, such sum or sums as may from time to time be necessary for the payment of the ordinary demands on the Treasury, at any time before the meeting of the next session of the present General Court, and that he pay any sum he may borrow, as soon as money sufficient for the purpose, and not otherwise appropriated, shall be received into the Treasury. *Provided, however,* that the whole amount borrowed by authority hereof, and remaining unpaid, shall not at any time exceed the sum of one hundred thousand dollars.

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### CHAP. IX.

*Resolve to pay for the Indexes to the Journals of the House of Representatives.*

June 10, 1828.

*Resolved,* That there be allowed and paid, out of the Treasury of this Commonwealth, to Pelham W. Warren, Clerk of the House of Representatives, for his labor and services in preparing Indexes to the Journals of the House, from the adoption of the Constitution, and also a General Index to the same, under the order of the House, of June 19, 1826, four dollars for each and every day during which he has been or shall be actually employed in said service, during the recesses of the Legislature;—and His Excellency the Governor, with advice of Council, is hereby authorised to draw his warrant or warrants on the Treasury accordingly.

## CHAP. X.

*Resolve prescribing the form of returns of Electoral Votes.*

June 11, 1828.

*Resolved*, That the annexed form of a return of votes for Electors of President and Vice President of the United States, may be used, and that the Secretary of the Commonwealth be directed to furnish each town, district and city in the Commonwealth, with two copies thereof, and to procure a sufficient number to be printed for that purpose, and that he also furnish each town, district and city with a copy of this Resolve, and of the Act directing the mode of choosing Electors of President and Vice President of the United States;—And that the Mayor and Aldermen of the City of Boston shall have like power as is hereby granted to the Selectmen of the respective towns in the Commonwealth, and with the further power to vary this form, so far as their corporate character may require.

*Form of the Return of Votes given for Electors of President and Vice President of the United States.*

At a legal meeting of the Inhabitants of the (Town, District or City, as the case may be) of ———, in the County of ———, qualified according to the Constitution, to vote for Representatives in the General Court, holden on the first Monday of November, one thousand eight hundred and twenty-eight, for the purpose of giving in their votes for Electors of President and Vice President of the United States—The whole number of votes given in were received, sorted, counted, and declared, and record thereof made in open town meeting, as directed by the Act passed June 10th, A. D. 1828, and were for the following persons :



**ELECTORAL RETURNS.****Electors at Large.****Electors for Suffolk District.****Electors for Essex South District.****Electors for Essex North District.****Electors for Middlesex District****Electors for Worcester South District.****Electors for Worcester North District.****Electors for Franklin District.****Electors for Hampden District.****Electors for Berkshire District.****Electors for Norfolk District.****Electors for Plymouth District.****Electors for Bristol District.****Electors for Barnstable District.**

} *Selectmen of*

\_\_\_\_\_, *Town Clerk.*

**N. B.**—Insert the number of votes in words at full length, and not in figures.

CHAP. XI.

*Resolve on the Memorial of Daniel Davis, and others.*

June 11, 1828.

Whereas, the Commissioners, appointed pursuant to a Resolve of the Legislature, approved on the twenty-sixth day of February, A. D. 1828, to inquire into, and decide upon the claim set forth in William Simpson's Petition, were required by said Resolve to report to this Legislature, at its present session; and it appears to be desirable that the said Commissioners should have further time in which to make their Report: therefore;—

*Resolved*, That the said Commissioners be allowed further time, until the next session of this Legislature, in which to make report upon the matters referred to them by the aforementioned Resolve; and that all the other provisions contained in said Resolve be continued in force.

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CHAP. XII.

*Resolve on the Petition of Cyrus Leland.*

June 11, 1828.

On the Petition of Cyrus Leland, Trustee of the Grafton tribe of Indians:

*Resolved*, That the said Cyrus Leland be, and he hereby is authorised and empowered to sell, and pass deeds to convey, such part of the real estate of Lucy Gimbee, otherwise called Lucy Hector, and the heirs of Moses

**48 COM. ON STATE PRISON.—T. STEDMAN.**

Gimbee, situate in Grafton, in the County of Worcester, as he shall judge best for their interest, provided he shall invest the proceeds thereof in other real estate adjoining thereto, for their benefit.

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**CHAP. XIII.**

*A Resolve extending the Powers and Duties of the Commissioners for auditing the accounts of the State Prison.*

June 11, 1828.

*Resolved*, That the duties and powers of the Commissioners, appointed to audit the accounts of the State Prison, in pursuance of the Resolve of March 4, 1828, be enlarged and extended, so as to carry forward the accounts to the thirtieth day of September next, inclusive, and that they make their Report accordingly.

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**CHAP. XIV.**

*Resolve on the Petition of Thomas Stedman.*

June 11, 1828.

*Resolved*, That there be allowed and paid, out of the Treasury of this Commonwealth to Thomas Stedman, of Tyringham, the sum of twelve dollars and eighty-four cents, in full compensation for his services, and for money paid, in procuring testimony, to be laid before the Legis-

lature, in relation to the conduct of the Selectmen of Tyingham, in improperly charging the Commonwealth with the support of certain paupers, and by which a considerable sum has already been repaid into the Treasury,—and His Excellency the Governor is hereby authorised and requested, by and with the advice of Council, to draw his warrant on the Treasurer, in favor of said Thomas Stedman, for the aforesaid sum.

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## CHAP. XV.

*Resolve on the Petition of Thomas Harris, Warden of the State Prison.*

June 11, 1828.

*Resolved,* That there be allowed and paid, out of the Treasury of this Commonwealth, to Thomas Harris, Warden of the State Prison, the sum of ten thousand dollars, for the purpose of erecting a new Prison, as authorised by law. And His Excellency the Governor, by and with the advice and consent of Council, is hereby authorised and requested to draw his warrant on the Treasury for that amount.

## CHAP. XVI.

*Resolve for the pay of the Council, Senate, and House of Representatives.*

June 11, 1828.

*Resolved*, That there be paid, out of the Treasury of this Commonwealth, to each member of the Senate and House of Representatives, two dollars for each and every day's attendance, as such, the present political year, and the like sum of two dollars, for every ten miles travel from their respective places of abode, once in each session, to the place of the sitting of the General Court ;— and also to each member of the Council, two dollars for each day's attendance at that Board, at every session thereof, during the present political year, and the like sum of two dollars, for every ten miles travel, from their respective places of abode, once in each session thereof ;— and to the President of the Senate, and Speaker of the House of Representatives, each, two dollars for each and every day's attendance, in addition to their pay as members.

## CHAP. XVII.

*Resolve authorising the purchase of fuel, and other articles for the use of the Commonwealth.*

June 11, 1828.

*Resolved*, That there be paid, out of the Treasury of this Commonwealth, to Jacob Kuhn, Messenger of the General Court, the sum of one thousand dollars, to enable

him to purchase fuel, and such other articles, as may be necessary for the use of the General Court, together with the Governor's and Council's Chamber, the Secretary's, Treasurer's, Adjutant General's offices, and also for the Land office, he to be accountable for the expenditure of the same : and His Excellency the Governor is requested to draw his warrant on the Treasurer of the Commonwealth accordingly.

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CHAP. XVIII.

*Resolve in favor of the Committee on Accounts.*

June 11, 1828.

*Resolved*, That there be allowed and paid, out of the public Treasury, to the Committee appointed to examine and pass on accounts presented against this Commonwealth, for their attendance on that service during the present session, the sum of one dollar per day, in addition to their pay as members of the Legislature ;—viz.

To John Keyes, four days,	four dollars.
Elihu Hoyt, eight days,	eight dollars.
Robert Rantoul, eight days,	eight dollars.
Caleb Rice, eight days,	eight dollars.
Benjamin C. Perkins, eight days,	eight dollars.

## CHAP. XIX.

*Resolve for the pay of the Clerks of the two Houses.*

June 11, 1828.

*Resolved*, That there be paid, out of the Treasury of this Commonwealth, to the Clerk of the Senate, eight dollars per day, to the Clerk of the House of Representatives, ten dollars per day, and to the assistant Clerk of the Senate, six dollars per day, for each and every day's attendance, they have been or may be employed in that capacity during the present session of the Legislature: and the Governor is requested to draw his warrant accordingly.

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## CHAP. XX.

*Resolve providing for the pay of Jacob Kuhn.*

June 11, 1828.

*Resolved*, That there be allowed and paid, out of the public Treasury, to Jacob Kuhn, in full for his services as Messenger to the General Court, and for his care of the State House, and all other services rendered by him, including those mentioned in a Resolve passed on the nineteenth day of October, in the year of our Lord one thousand eight hundred and fourteen, for the year commencing the thirtieth day of May last, the sum of one thousand dollars, payable quarterly; and His Excellency the Governor, with the advice of Council, is requested to draw his warrant accordingly.

CHAP. XXI.

*Resolve in favour of John V. Low.*

June 11, 1828.

*Resolved*, That there be allowed and paid, from the Treasury of this Commonwealth, to John V. Low, Assistant Messenger to the Governor and Council, two dollars per day, for each and every day he has been or may be employed in that capacity, during the present session of the Council; and His Excellency the Governor, with the advice of Council, is authorised and requested to draw his warrant on the Treasury accordingly.

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CHAP. XXII.

*Resolve authorising Thomas Barclay to convey, as Guardian, certain real estate.*

June 12, 1828.

On the petition of Thomas Barclay, and the heirs of Mary Gibbs, deceased, praying that said Barclay may be authorised to convey all the legal right and title which Hugh Swinton Ball, of Charleston, in the State of South Carolina, and Anna Elizabeth Ball, his wife, in her right, both minors, under the Guardianship of said Barclay, have in and to certain real estate hereafter referred to, of which the legal title was in Walter Channing, late of Boston, deceased, father of the said Anna Elizabeth, as a mere trustee of the late Mary Gibbs, deceased, he, the said Walter



in his life time being without any equitable interest in said estate ;—

*Resolved*, For reasons set forth in said petition, that the said Thomas Barclay be, and he is hereby authorised and empowered, by his deed, duly executed, acknowledged and recorded, to pass and convey, to any person or persons duly appointed trustee or trustees under the will of the said Mary Gibbs, all the right and title which the said Hugh Swinton Ball, and Anna Elizabeth Ball, his wife, in her right, as heir to her late father, Walter Channing, have in and to a certain tract of land, with the appurtenances, situate in the town of Charlestown, in this Commonwealth, commonly called and known as the Ten Hills Farm, and also a certain store, with the land and appurtenances thereto belonging, situate on Derby's Wharf, in Salem, in this Commonwealth, which estates were formerly the property of Elias Haskett Derby, of said Salem, and by him conveyed to said Walter Channing, and for the butts and bounds and further description of said estates, reference is to be had to the instrument or instruments of conveyance from the said Derby to said Channing;—*Provided, however*, that this Resolve be substantially recited in the deed or deeds contemplated to be given by the said Barclay, as Guardian aforesaid, and that the said Hugh, and Elizabeth his wife, both indorse, under their respective hands, in presence of two disinterested witnesses, their unqualified consent to the conveyance or conveyances which the said Barclay may make, pursuant to the authority hereby given.

## CHAP. XXIII.

*A Resolve to enable the Board of Directors of Internal Improvements to complete the business of their appointment.*

June 12, 1828.

*Resolved*, That his Excellency the Governor, by and with the advice and consent of the Council, shall have power to draw his warrants on the Treasurer of this Commonwealth, in favor of the Board of Directors of Internal Improvements, for any sum or sums, not exceeding eight thousand dollars in the whole, in addition to the sum heretofore granted them, for the purpose of defraying the necessary expenses and services contemplated by an act entitled "An Act to provide for Internal Improvements, by Rail Roads," passed March eleventh, one thousand eight hundred and twenty eight.

## ROLL, No. 99.....MAY, 1828.

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The COMMITTEE ON ACCOUNTS having examined the several accounts presented to them, Report,

That there is due to the several Corporations and Persons hereafter mentioned, the sums set to their names respectively, which, when allowed and paid, will be in full discharge of the said accounts, to the dates therein mentioned; which is respectfully submitted,

By order of said Committee,

ELIHU HOYT, *Chairman.*

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### PAUPER ACCOUNTS.

Adams, for the support of Philena Hill, Jemmy Derry and wife, Robert Harris, Ebenezer Lilley, Sarah Goodrich, Uriah Carpenter, Sarah Dodge, and Molly Dimon, to June 1, 1828,	\$170 10
Amherst, for the support of Jane and Polly Richardson, and Jerusha Douglass, to June 1, 1828,	48 60
Abington, for the support of David Jack and wife, and Antonio Julio, to June 9, 1828,	51 30

# PAUPER ACCOUNTS.

57

3	Blandford, for the support of John H. Dunham, Susan Burdick, and Lettice Brewster, to May 26, 1828,	110 70
3	Belchertown, for the support of Armeida Barden, Fidelia Barden, and Hannah Gearsons, to June 1, 1828,	41 24
3	Becket, for the support of Elizabeth Hamlin, John Reed, and Sam'l Johnson, to June 2, 1828,	28 89
3	Bridgewater, for the support of John Chestnut and his wife, and Joanna Regnier, to June 7, 1828,	54 00
	Boston, for the support of sundry paupers in the House of Correction for the quarters ending Dec. 31, 1827, and March 31, 1828,	728 07
	Boston, for the support of paupers, to May 31, 1828, inclusive,	1295 25
	Boston, for the support of sundry paupers in the House of Employment for Juvenile Offenders, to May 31, 1828, inclusive,	254 64
	Boston, for the support of sundry paupers in the House of Industry, to May 31, 1828, inclusive,	3855 20
6	Beverly, for the support of Dolly Claxton, Ann Francis, David Murphy, Henry Mason, Mary Conant, and John Kelly, to June 1, 1828,	43 86
3	Brimfield, for the support of John Shelburn, Thomas Corbur, and James Hunter, to June 4, 1828,	98 20
2	Barre, for the support of Danah Barker, and James Davis, Jun. to June 2, 1828,	23 59
3	Chester, for the support of Benjamin Powers, Ann Butolph, Jeremy Hardy, to June 1, 1828,	71 10
13	Coleraine, for the support of Peter M. Hart, Samuel Dean, Sally Hart, Mary Hart, Stephen Hart, Betsey Hart, and three children, Cate Van Vottenburg, Lucy Freeman, John and Lucy, the children of said Lucy, to May 19, 1828,	160 20
1	Cumington, for the support of Prister Peirce, to May 19, 1828,	63 90
1	Concord, for the support of John Scot, to May 29, 1828, and funeral expenses,	24 29

5	Cheshire, for the support of Ephraim Richardson, Noel Randall, Polly Cooper, Joseph Williams and funeral charges, and Samuel Tracy, to May 23, 1828,	66 20
	Charlestown, for the support of sundry paupers, to June 10, 1828,	2088 74
	Cambridge, for the support of sundry paupers, to June 10, 1828,	1191 72
3	Dudley, for the support of Allsbury Reynolds, Sarah Reynolds, and William Slocum, to May 27, 1828,	48 30
1	Dennis, for the support of John Bloom, to Feb. 21, 1828, and funeral expense,	10 65
13	Danvers, for the support of John Fitzgerald, Owen Mellen, Thomas Littlewood, John Henly, Cæsar Wilcox, James Wallace, Ruth Parsons, Morris Foley, Catharine Marshall, Mary, Agnes, John and William, children of Thomas and Catherine Marshall, and John Webber, to June 4, 1828,	164 88
1	Edgartown, for the support of Emanuel Salvors, to June 1, 1828,	46 80
1	Enfield, for the support of Deborah Butterworth, to April 8, 1828,	46 80
1	Essex, for the support of Catherine Hall and funeral expense, to May 26, 1828,	33 16
2	Foxborough, for the support of Sally Donaldson and Nancy Bartlett, to May 27, 1828,	29 40
1	Goshen, for the support of Hannah Day, to April 3, 1828,	11 70
2	Gill, for the support of Sarah Lyon, and Mary Lawson, to May 22, 1828,	54 13
2	Granville, for the support of Samuel Gallup, and Sally Stewart, to May 31, 1828,	37 80
11	Great Barrington, for the support of Philip Vosburg, and funeral expense, Graves and funeral expense, Isaac Hoose, Mary Hoose, Joanna Porter, Lucy Porter, Temperance Sears, Ann Wells, Mary Ann Wells, Edward Wells, and Amarilla Wells, to May 27, 1828,	133 40

# PAUPER ACCOUNTS.

59

6	Grafton, for the support of Joseph Phillips, Sarah Phillips, Stephen Phillips, Eletha Johns, Catharine Green and child, to May 28, 1828,	172 40
	Gloucester, for the support of sundry paupers, to June 1, 1828,	381 50
8	Hancock, for the support of Sally Shipman, Silas Shipman, Israel Clark, John H. North, Jane North, and three children of Asa Jones, to May 28, 1828,	81 07
5	Haverhill, for the support of Charles Field, Eliza Field, Charles Field, Jr. Wm. Henry Field, and Alexander McIntosh, to April 6, 1828,	46 03
2	Hopkinton, for the support of Mary Bryant, and Susan Parker, to June 8, 1828,	36 60
5	Leyden, for the support of Arnold Clark, Tacy Fuller, Ruth Abel, Joseph Abel, and Hannah Cole, to May 26, 1828,	90 00
11	Lenox, for the support of Moses M. Gaw, Maria Palmer, Edward Hulbert, Samuel Boid, Caroline Weaver, Lucinda Hulbert, Aurelia Hulbert, Samuel Bell, Lucretia Hulbert, and funeral expense, Jane Austin, and Dayton Fuller, to May 26, 1828,	159 36
	Lee, for the support of sundry paupers, to May 20, 1828,	107 26
	Lanesborough, for the support of sundry paupers, to May 20, 1828,	256 74
3	Montague, for the support of Edward Potter, Sarah Potter, Anna Sinclair, and funeral expense for Potter and wife, May 28, 1828,	42 40
1	Montgomery, for the support of Willard Converse, to June 1, 1828,	19 52
1	Mount Washington, for the support of Robert Baker, to June 8, 1828,	14 79
23	Mendon, for the support of John Ager, Andrew Sloan, James Shays, Philip Owens, John Bill, John Bates, James Harford, John Harrington, Thomas Welch, Margaret Carney, Hugh Carney, Ellen Carney, Joanna Delanthy and her children Mary, Eleanor, John, Catharine and	

	Margaret, Martha Newell, Isabella Kelley, Lewis Young, John Appleford's wife, and Mary Ann Culver, to June 1, 1828,	269 12	1
5	Monson, for the support of Mary Allen, Flora Story, Roxana Wallis, Dickinson Wallis, and Benjamin Wallis, to May 1, 1828,	63 93	R
5	Milton, for the support of Archibald McDonald, James Bowman, John J. Myers, George Hamilton, and Nancy Hamilton, to June 9, 1828,	60 75	2
	Newbury, for the support of sundry paupers, to June 1, 1828,	564 03	2
	Newburyport, for the support of sundry paupers, to June 1, 1828,	756 61	5
1	Northborough, for the support of Abiel Stacy, and funeral expense, March 20, 1828,	15 80	2
	New Bedford, for the support of sundry paupers, to April, 1, 1828,	907 42	11
1	North Brookfield, for the support of Esther Johnson, to May 26, 1828,	18 00	
	Northampton, for the support of sundry paupers, to June 1, 1828,	730 47	
5	Pittsfield, for the support of John Gabriel, wife, and their children, to May 1, 1828,	55 39	
3	Plymouth, for the support of John M. Roap, John Walping, and James Reed, to June 9, 1828,	54 38	
9	Rowley, for the support of Elle Collins, Tryphosa Knight, Louisa Price, Alphonso Knight, Ann Maria Knight, William Davis, Orna Davis, Jane Davis, and Catharine Davis, to May 26, 1828,	102 80	2
5	Rowe, for the support of Betsey Carpenter, Patience Carpenter, Almira Wilcox, Mary Wilcox, and Noah Wilcox, to May 30, 1828,	150 80	1
4	Russell, for the support of John Carroll, Mary Newton, Mary Stebbins, and Sally Harrington, to June 3, 1828,	76 74	25
16	Roxbury, for the support of Emanuel Swasie, Peter Chapman, John Guirn and wife and four children, Edward Shehane, Jane Landers, Ellen and John Holland, Patrick Collins, Robert		

# PAUPER ACCOUNTS.

61

	Clew, Terrence Riley, and Sally Brown, to June 3, 1828,	211 35
7	Richmond, for the support of Uriah Fuller, Samuel Hill, Nancy Jessup, Martha Hagair, Susan Darling, Amos Darling, and Sarah Ann Darling, to June 9, 1828,	121 00
1	Southwick, for the support of Daniel Marlow, to June 1, 1828,	46 30
	Salem, for the support of sundry paupers, to June 1, 1828,	1095 48
8	Swansey, for the support of Mary Ann Mason, Martha Downsnips, Thomas McCarter, and Jude his wife, Olive Freeman, Rosella Freeman, Diadema Boiston, and Susanna, to May 24, 1828,	152 00
2	Shelburne, for the support of Mary Bates, and Elizabeth Lane, to May 27, 1828,	67 10
3	Southampton, for the support of John Cockran, and Timothy Fitts Charles, to May 26, 1828,	34 71
3	Sandisfield, for the support of Abigail Pierce and funeral expense, and Richard Dickson and Phillis his wife, to May 24, 1828,	53 20
2	Shirley, for the support of Jenny Mitchell, and Lucretia Hazard, to May 31, 1828,	141 50
7	Stockbridge, for the support of Samuel Rathbone, Margery Curtis, Mary Ann Hagar, Dinah Elkey, Naomi Thaxter, Abraham Spike-man, and funeral expenses, and Wm. Porter, to June 1, 1828,	133 91
	Sheffield, for the support of sundry paupers, to June 8, 1828,	268 76
3	Sharon, for the support of Susannah Rider, Edward Ellis, and Elizabeth Ellis, to June 4, 1828,	31 50
2	Southbridge, for the support of Joseph Dorus, Jr. and wife, to March 16, 1828,	8 12
2	Topsfield, for the support of Philis Esty, and Phillis Emerson, to May 30, 1828,	93 60
	Taunton, for the support of sundry paupers, to June 1, 1828,	197 80



3	Townsend, for the support of Miranda Jackson, Samuel B. Jackson, and Henry S. Jackson, to June 1, 1828,	32 34
7	West Hampton, for the support of Mary Ann Sherman, Filia Sherman, Jane Gay, Harry Miller and wife, and Margaret Ellis and her child, to May 22, 1828,	80 50
	West Stockbridge, for the support of sundry paupers, and funeral expenses, to May 24, 1828,	182 15
5	West Springfield, for the support of Hannah Shevov, Louis Shevov, Laura Chapin, Rodney Benedict, and Hugh Lynch, to May 31, 1828,	69 02
	Williamstown, for the support of sundry paupers, to May 17, 1828,	173 26
10	Westfield, for the support of John N. Berry, Esther Berry, Theodotia Gillet, Asceneth Gibson, Mary Parks, Mary Ann Barker, Aaron Burr, George Gibson, Robert Livingston, Dolly Ann St. Paul, to June 1, 1828,	169 26
1	Ward, for the support of Sarah Wiser, to May 10, 1828,	46 80
17	Watertown, for the support of Rebecca Bowen, Samuel Latch and wife, Henry Brown, Robert Francis, Philip Morer, Edmund Dada, Wm. Rogers and wife, John Williams, Wm. Dely, Gilbert Kerker and wife and four children, viz. Martha, Sarah, Abigail and Margaret, to June 1, 1828,	145 98
2	Western, for the support of Thomas Humphry, and Joseph R. Trim, to May 26, 1828,	70 20
1	Williamsburg, for the support of John Cook, to May 25, 1828,	39 47
	West Newbury, for the support of sundry paupers, to May 8, 1828,	74 84
2	Wrentham, for the support of Jane Donaldson, and Nancy Donaldson, to April 29, 1828,	24 00
6	Wilbraham, for the support of Eunice Davis, Mary Walker, Alice Dodge, Bathsheba Butterfield, Mary Jane Butterfield, and Simeon L. Butterfield, to May 21, 1828,	239 20

# PRINTERS' & MISCEL. ACCOUNTS. 63

2 Yarmouth, for the support of Thomas Peters, and  
Black Let, to May 29, 1828, 93 60

84

## PRINTERS' AND MISCELLANEOUS ACCOUNTS.

MAY, 1828.

Archibald, George, for furniture for State House, May 26, 1828,	70 00
Adams, Wm. for furniture for State House, June 10, 1828,	34 15
Andrews, Sam'l G. for newspapers to June 1, 1828,	1 44
Bowles, Samuel, for printing laws to ending Jan- uary, 1828,	16 66
Blaney, Henry, for repairs to State House to June 10, 1828,	30 99
Burditt, James W. for articles furnished the Gen- eral Court, and the several offices in the State House, to June 10, 1828,	218 37
Badger & Porter, for newspapers to June 1, 1828,	44 52
Ballard & Wright, for printing laws and news- papers to June 11, 1828,	35 42
Bacon, Henry, for assisting Messenger to Gen- eral Court to June 11, 1828,	34 00
Colton, Samuel H. & Co. for printing laws to June 1, 1828,	16 67
Cutting, Elijah W. for assisting Messenger to General Court, for himself and son, to June 10, 1828,	43 00
Clapp, W. W. for newspapers to June 10, 1828,	6 58
Chase, Warren, for assisting Messenger to Gen- eral Court to June 11, 1828,	34 00
Dutton & Wentworth, for State printing to June 10, 1828,	1691 04
Davis, James, for paper for State House to June 6, 1828,	93 69

## 64 SHERIFFS' & CORONERS' ACCOUNTS.

Goodrich, L. W. for sundries for Secretary of State to June 5, 1828,	33 50
Howe, James F. for newspapers to June 11, 1828,	29 24
Hale, Nathan, for newspapers and printing to June 7, 1828,	35 72
Kuhn, Jacob, for balance of account to June 10, 1828,	146 25
Kuhn, Jacob, Jr. for assisting Messenger to June 11, 1828,	30 00
Lindsay, Benjamin, & Son, for publishing laws to May, 1828,	16 67
Mudge, Benjamin, for newspapers to June 11, 1828,	40 38
Pitts, Sarah, for services of her son as Page to the House of Representatives to June 11, 1828,	13 00
Palfrey, Warwick, publishing laws to May, 1828,	16 66
Russell, J. B. for newspapers to June 9, 1828,	5 48
Reed, David, for newspapers to June 9, 1828,	4 15
Saxton, J. A. for publishing laws to June 1, 1828,	16 67
Snelling, Enoch H. for repairs to State House to June 10, 1828,	49 37
True & Greene, for newspapers and printing to June 7, 1828,	29 25
Webster, Charles, for printing laws to June 1, 1828,	16 66
Wheildon & Raymond, for newspapers and printing to June, 1828,	18 81
Webb, Daniel, for newspapers to June 10, 1828,	22 25
Wheeler, John H. for repairs to State House to June 4, 1828,	225 94
Young & Minns, for newspapers and printing to May, 1828,	26 87

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## SHERIFFS' AND CORONERS' ACCOUNTS.

MAY, 1828.

Austin, Nathaniel, Sheriff of Middlesex County, for returning votes for 1827 and 1828 to June 1, 1828,	1 60
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## MILITARY ACCOUNTS.

65

Drew, Benjamin, Coroner of Plymouth, for fees of inquisition to June 1, 1828,	12 40
Hoyt, Epaphras, Sheriff of Franklin County, for returning votes to June 1, 1828,	8 00
Oliver, John, Island Keeper, for his fees to Dec. 31, 1827, and for the annual allowance of wood to the same time,	104 44
Pease, Josiah D. Sheriff for the County of Dukes County, for returning votes to May 24, 1828,	8 00
Phelps, John, Sheriff of Hampden County, for returning votes to June, 1828,	91 20
Snow, Prince, Jr. as one of the Coroners of the County of Suffolk from Feb. 6, to June 5, 1828,	69 20

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## MILITARY ACCOUNTS.

MAY, 1828.

### *For Courts Martial.*

Holden at Paxton on the 18th March, 1828.

Jonas A. Marshall, <i>President,</i>	11 80
Welcome Wardsworth, <i>Court,</i>	8 20
Elijah Stoddard, "	8 30
Willard Rice, "	6 80
Lewis Mills, "	7 50
John G. Thurston, <i>Marshall,</i>	8 00
George Bowen, <i>Orderly Serjeant,</i>	3 50
Aaron Brooks, Jr. <i>Judge Advocate,</i>	14 20
Abel Bartlett, <i>Witness,</i>	1 90
Nathaniel Pike, "	1 66
Silas D. Harrington, "	1 16
Nathaniel Crocker, "	1 54
Bradley W. Livermore, "	1 74
Horace Knight, "	50

## MILITARY ACCOUNTS.

Holden at Williamstown, on the 27th March, 1828.

Samuel M. McKay, <i>President</i> ,	11 00
Elijah M. Bissell, <i>Court</i> ,	8 00
Stoddard Hubbell, "	7 50
Wm. Porter, Jr. <i>Judge Advocate</i> ,	15 00
Ephraim B. Danforth, <i>Witness</i> ,	1 58
Rensalaer Salmon, "	1 82
Kenyon Salmon, "	1 82
Frederic Munroe, "	1 08
Sylvanus Thomas, "	1 70
Robert Noble, "	1 04
James Noble, "	54
Russell Pratt, "	54
Eli Wellington, Jr. "	1 50
Selden Cone, "	82
James Meachum, "	1 54
Luther Bartlett, "	1 04
Henry Suby, "	1 66
Elkanah Cronk, "	1 12
Elisha Brooks, "	1 04
Samuel Burchard, "	1 04
William Burchard, "	1 04
Stephen Petritt, "	54
Julius E. Towner, "	54
Alfred Walker, "	54
Alfred Monroe, "	1 04
Chester Stone, "	1 12
Sherman Curtiss, "	1 70
Horace Perry, "	1 70
Albert Williams, "	1 12
Thomas Stewart, "	1 20
John Albright, "	58
Albert G. W. Smith, "	1 04
Daniel Stephens, "	1 12
Wm. Porter, Judge Advocate, for Stationary,	72
James Wakefield, for serving notices,	6 66
Jabez Hall, summoning 2 witnesses,	80
Josephus Bordwell, " 28 "	3 40
Solomon Buckley, " 1 "	18
Ephraim B. Danforth, " 2 "	36
William Waterman, for fuel and room,	4 00—16 12

# MILITARY ACCOUNTS.

67

Nathan Heard, for services by order of the General order, 15 April, 1828, in relation to the election of Elsworth Child,	5 00
Caleb Cushing, Judge Advocate of 2d Division, for fees in the case of Maj. John Stickney, April 19, 1828,	10 00

## *Brigade Majors and Inspectors.*

Wyman Richardson, to 6 June, 1828,	40 00
Joseph Butterfield, " 1 " "	56 66

## *Adjutants.*

Watson Gore, to Dec. 31, 1827,	25 00
John Towne, to May 21, 1828,	25 00
Joseph Hooper, Jr. to March 11, 1828,	30 00
Samuel Woodburn, Jr. to Dec. 31, 1827,	25 00
E. A. Howard, to June 1, 1828,	25 00
William Ware, to April 1, 1828,	12 50
Willard Day, to Dec. 31, 1827,	25 00
Timothy Jones, to June 1, 1828,	25 00

## *Hauling Artillery.*

Abijah Thompson, 1827,	12 00
H. H. Bordwell, 1827,	10 00
Joseph Allen, 1827,	9 17

# AGGREGATE OF ROLL No. 99.

MAY, 1828.

Expense of State Paupers,	20418 37
" " Sheriffs and Coroners,	294 84
" " Printers and Miscellaneous,	3147 40
" " Brigade Majors and Inspectors,	96 66
" " Adjutants,	192 50
" " Hauling Artillery,	31 17
" " Courts Martial & Courts of Enquiry,	182 58

Amount of Roll No. 99, \$ 24363 52

## RESOLVE.

- *Resolved*, That there be allowed and paid, out of the public Treasury, to the several Corporations and persons mentioned in this Roll, the sums set against their names respectively, amounting in the whole to twenty four thousand, three hundred and sixty three dollars, fifty two cents, the same being in full discharge of the accounts and demands to which they refer.

*In Senate, June 11, 1828.*—Read twice and passed,  
Sent down for concurrence.

SH. LELAND, *President*.

*In House of Representatives, June 11, 1828.*—Read twice, and passed in concurrence.

W. B. CALHOUN, *Speaker*.

*June 12, 1828.*

Approved,

LEVI LINCOLN.

## **Commonwealth of Massachusetts.**

---

SECRETARY'S OFFICE, JULY 25, 1828.

I HEREBY CERTIFY, that I have compared the Resolves printed in this pamphlet, with the original Resolves passed by the Legislature in June last, and that they appear to be correct.

**EDWARD D. BANGS,**

*Secretary of the Commonwealth.*



## INDEX

### TO THE RESOLVES OF MAY AND JUNE SESSION, 1828.

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#### A.

Accounts, Committee on, paid for services, . . . . .	51
“ Roll of, No. 99, . . . . .	56
Allen, Caleb V. guardian, empowered to convey interest of Nathan George, a minor, . . . . .	42

#### B.

Barclay, Thomas, guardian, authorised to convey estate of certain minors, . . . . .	53
Bardwell, Josiah, and others, guardians, empowered to convey estate of certain minors, &c. . . . .	39

#### C.

Clerks of Senate and House, compensation of, . . . . .	52
Commissioners on William Simpson's petition, allowed further time to make report, . . . . .	47
“ on accounts of State Prison, their power and duty extended, . . . . .	48
Committee on Accounts paid for services, . . . . .	51
“ “ “ their Roll, No. 99, . . . . .	56
County Commissioners, in Essex, to hold special session, . . . . .	37

#### D.

Davis, Daniel, and others, Commissioners on William Simpson's claim, allowed further time to make report, . . . . .	47
Directors of Internal Improvements, appropriation in favor of, . . . . .	55

## INDEX.

ii

### E.

East Bridgwater, petition of, granted, for appointment of a guardian to a native Indian, . . . . .	48
Electoral Votes, form of, &c. prescribed, . . . . .	45
Essex, County of, special session of County Commissioners to be holden in, . . . . .	37

### F.

Fuel, &c. for use of government, appropriation for, . . . . .	50
---	----

### G.

General Court, pay of Members of, provided for, . . . . .	50
Governor's Speech, at beginning of the Session, . . . . .	21
"    Message, transmitting Documents, relating to N. E. boundary, . . . . .	37
"    "    transmitting Report of Commissioners on State Prison accounts, . . . . .	41
Grafton Indians, certain estate of, may be sold by Trustee, . . . . .	47

### H.

Harris, Azor, appointed guardian to Anna Richards, an Indian, . . . . .	43
Harris, Thomas, Warden of State Prison, grant to, for erection of new prison, . . . . .	49

### I.

Internal Improvements ; further appropriation for surveys, . . . . .	55
Journals of House of Representatives, compensation for preparing index of, . . . . .	44

### K.

Kuhn, Jacob, Messenger to General Court, pay of, provided for, . . . . .	52
--	----

### L.

Leland, Cyrus, trustee of Grafton Indians, empowered to sell certain real estate, . . . . .	47
Low, John V. Messenger to Governor and Council, pay of, provided for, . . . . .	58

**M.**

Members of Council, Senate and House, pay of, provided for,	50
Message of Governor, transmitting documents respecting N. E. boundary, . . . . .	37
“ “ “ transmitting report of Commissioners on accounts of State Prison, . . . .	41
Messenger of General Court, grant to, for purchase of fuel, &c.	50

**P.**

President and Vice President, form of votes for Electors of, &c. prescribed, . . . . .	45
---	----

**R.**

Roll of Accounts, No. 99, . . . . .	56
-------------------------------------	----

**S.**

Secretary directed to furnish towns with forms and copies res- pecting choice of Electors of President, &c. . . . .	45
Simpson, William, Commissioners on his claim, allowed fur- ther time to make report, . . . . .	47
Speech of Governor, to Senate and House, . . . . .	21
State Prison, report of Commissioners on accounts of, transmitted,	41
“ “ Commissioners on accounts of, their power and du- ty extended, . . . . .	48
“ “ grant for erecting new building at, . . . . .	49
Stedman Thomas, paid for services in procuring testimony rela- tive to certain accounts of town of Tyringham, . . . .	48

**T.**

Treasurer of Commonwealth, empowered to borrow money, .	43
---	----

**W.**

Warren, Pelham W. paid for preparing index to Journals of H. of R. . . . .	44
Wilby, Francis, discharged from imprisonment, . . . . .	38

# RESOLVES

OF

## THE GENERAL COURT

OF THE

*Commonwealth of Massachusetts,*

PASSED AT THEIR SESSION,

WHICH COMMENCED ON WEDNESDAY, THE SEVENTH OF JANUARY, AND  
ENDED ON WEDNESDAY, THE FOURTH OF MARCH, ONE THOUSAND  
EIGHT HUNDRED AND TWENTY-NINE.

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*Published agreeably to a Resolve of 5th January, 1812.*

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**Boston:**

TRUE AND GREENE, PRINTERS TO THE STATE.

.....

1829.

*The Life of the Rev. John A. Smith.*  
*New York, 1854.*

# RESOLVES

OF

## THE GENERAL COURT,

OF THE

### COMMONWEALTH OF MASSACHUSETTS,

PASSED AT THEIR SESSION,

WHICH COMMENCED ON WEDNESDAY, THE SEVENTH OF JANUARY,  
AND ENDED ON WEDNESDAY, THE FOURTH OF MARCH, ONE  
THOUSAND EIGHT HUNDRED AND TWENTY-NINE.

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## GOVERNOR'S MESSAGE.

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*His Excellency the Governor sent down from the Council Chamber, by the Secretary of the Commonwealth, to the Senate and House of Representatives, the following*

### MESSAGE:

*Gentlemen of the Senate, and*

*Gentlemen of the House of Representatives:*

ON re-assembling, as the Representatives of a free people, for the discharge of public duties, in the adoption of measures to promote the future welfare of the Republic, we are naturally led to a review of those social and political blessings, in the enjoyment of which we have entered upon a new year, and to devout acknowledgments of gratitude to the Sovereign Ruler of the Universe, for that

benevolent providence, which has sustained the Nation in peace and happiness, through the year which has just closed. The recent full and lucid exposition of our public concerns, which is given in the late official communication of the President to Congress, affords satisfactory assurance of the increasing prosperity of our widely extended Country, and by reference to measures and events, is the best vindication of the ability, wisdom, pure and devoted patriotism, with which the administration of its affairs has been conducted. To no other people on earth has so large a portion of personal and public happiness been vouchsafed. Of no nation does the history of past or of present time exhibit such a picture of true moral grandeur. A great people, self-governed by their own intelligence and moderation, appointing their Agents through the forms of a voluntary compact, directing the policy of their Government by opinion, sustaining or impeaching an administration according to the dictates of sentiment or of interest, and by a rotation in the offices of power and of trust, in the peaceful exercise of the right of suffrage, producing changes of men in the highest stations, which, in other countries, are rarely effected but by desperate achievements of revolution and bloodshed. To the character of our republican Institutions we are indebted, under Heaven, for whatever is thus enviable in our condition. The continuance of our public enjoyments must depend upon the purity in which these Institutions are preserved, through the cultivated intelligence of the Citizens. In the progress of the country in wealth and power, and their too inseparable accompaniments, individual luxury and pride, patriotism will require many sacrifices. Personal ambition must be restrained to a subserviency to

the general interest. Local objects must be surrendered to the common good.—Above all, sectional jealousies, exclusive party considerations, and the factious designs of restless and turbulent men, must be repressed, by the severest rebukes of a patriotic spirit, while national feeling, reverence for the constitution, and an inviolable adherence to the principles of the confederacy, should be inculcated and insisted upon, at all times, whenever and wherever there may be opportunity, and by all the motives and sanctions, which love of freedom and allegiance to country can suggest.

These reflections, I trust, will not be regarded as a departure from the course of remark which is appropriate to an official communication, on occasions like the present. In the discharge of our obligations to the Commonwealth, as a member of the great national family, we are bound to recognize the relation, and to cherish sentiments of attachment to the Union. The utmost fidelity to the interests of the State, is not inconsistent with the performance of every enjoined duty to the Nation. If indeed it be otherwise, then are the devices of our forms of government a delusion, and the valor and wisdom of those who established them, with the happy experience of a half century in their administration, have deceived and betrayed us. I am aware that a note of alarm has been sounded loudly on this subject, and that some of the powers claimed by the General Government have been charged as flagrant violations of the rights of the States. But a recurrence to the fundamental principles of the Union may prevent much misapprehension. The preamble to the articles in the Constitution of the United States, adopted subsequently to the formation of the Constitutions of



the several States, which were original parties to the compact, is an express declaration *by the People*, that "in order to form a more perfect union, establish justice, ensure domestic tranquillity, promote the general welfare, and secure the blessings of liberty to themselves and their posterity," *they* did ordain and establish the frame of the Federal Government. The Independent Sovereignities, which before existed, connected together by the feeble bond of the old Confederation, were found incompetent to secure these high objects. For their accomplishment, it was deemed necessary, by *the States themselves*, that the National Government, in its present form, and with adequate powers, should be established, and it is not too much to pronounce, that whenever the existence of these powers shall successfully be denied, or their discreet exercise effectually resisted, all the ends for which they were granted, union, justice, domestic tranquillity, the general welfare, and the blessings of liberty, will be endangered. Nor let this be regarded as any admission that a latitudinarian construction may be given to the Constitution. On the contrary, the political axiom, that the authority which is not delegated to the General Government is reserved to the States, cannot too scrupulously be regarded. The States, independently of each other and of the Union, possess every attribute of original sovereignty with which they have not voluntarily parted, and neither their rights of jurisdiction, more than the extent of their territory can be abridged, within the utmost of their present limits, but by their further consent.

A reference to the General Government associates with it a recognition of the issue of the late Presidential Election. Massachusetts, on this occasion, has given an op-

posing vote to the successful Candidate. In this, she has but exercised the right of preference for a Statesman of known ability, profound learning, great experience, and long and approved trust in the civil departments of Government, over a Fellow Citizen, hitherto more eminent in other distinctions. A Republican People, having cast their ballots with the independence becoming Freemen, will be just to the principles of their Government, in yielding a respectful submission to the constitutional result. Although they may have withheld expressions of confidence in the qualifications of the Candidate, they will judge with unprejudiced minds the conduct of the Officer. The succeeding Administration will be looked to, with that jealous vigilance, which is induced by a solicitous concern for the character of our institutions. If it shall respect the limitations of authority, be directed by the dictates of a pure and elevated patriotism, promote with faithfulness and impartiality the interests of the whole people, preserve domestic tranquillity, and maintain the peace and honor of the nation, *it will find here a support, as efficient and sincere*, as though it had been pledged to the success of the election. We owe this to our country, as well as to him, who, by the suffrages of his fellow citizens, has the high honor of having been called to preside over their public affairs.

Several subjects of peculiar concern to the interests of the Commonwealth, on which I had the honor to offer my sentiments to your consideration, at the commencement of the political year, remain in the custody of the Legislature, upon the Reports of Committees, and by orders of reference, to be acted upon at the present session. Of these, the most urgent, is that which relates to the Reve-

nue, and I hope to be excused in again earnestly pressing it upon your attention. Since the omission of the annual grant of a State Tax, the receipts into the Treasury have been constantly insufficient to meet the ordinary expenses of Government. The deficiency of the year 1827 exceeded the sum of sixty three thousand dollars, and nearly exhausted the remaining balance of former years. The accounts of the Treasurer, for the past year, made up to the first instant, state the receipts, exclusive of money obtained upon loans, at two hundred and forty thousand, twenty six dollars and thirty two cents, and the expenditures at three hundred and seven thousand, seven hundred and sixty nine dollars, three cents, making an excess of the latter over the former, of sixty seven thousand, seven hundred forty two dollars, and seventy one cents, which, after crediting the balance of the last preceding account, produces an actual debt of large amount against the Commonwealth, to be provided for and paid hereafter.

It is obvious, that, without the interposition of the Legislature, which can alone authorize competent supplies from the abundant resources of the State, this debt must be rapidly and fearfully augmenting. To the deficiency of each current year will be added that of the preceding, with accruing interest, until a burthen will be found to exist, as difficult to be removed, as it was once unnecessary to be created. Against permitting this state of things, the experience of other times conveys the most impressive admonitions. It is no less repugnant to the sentiments of a Republican People, than it is unfavourable to the advancement of the interests of the State, that adequate contributions should be withheld from the support of Government. At present, the Treasury depends

almost exclusively upon the Bank taxes, and Auction duties, while every other object and interest are exempt from assessment. Happily the condition of the Commonwealth does not demand this immunity. Her riches and her resources, the business and the habits of the people, afford ample means for the supply of every occasion, whether of present need, or for purposes of future improvement. A moderate State Tax, of just and equal apportionment, has never been objected to, in principle, as a measure of Revenue, and resort to it seems now to have become indispensably necessary, to replenish an exhausted Treasury, and provide against future deficiency.

In reference to a permanent relief of the Treasury, to some extent, the propriety of taxing the business in the Probate Courts, towards the expense of that part of the administration of the law, is suggested. In every other department of jurisprudence, the charges are, at least, partially defrayed, in the shape of fees for the entry of actions, trials, &c. while here, large estates are settled, the rights of creditors secured, distributions made among heirs, and many of the most difficult and complicated concerns of property and of parties adjusted, altogether at the public cost. With a compassionate regard to the condition of the destitute widow, and of those who are left with little inheritance, it is yet believed, that a rate of fees might be established, which, in application to estates of magnitude, would be just in themselves, as an equivalent for the services rendered by the officers of government, and in their aggregate amount, would satisfy no inconsiderable proportion of the expense of this tribunal of Justice.

I feel it my duty to transmit for your consideration copies of all the Reports which have been made to the

Executive, by the officers of the State Prison, during the last year. It is with deep regret that I find occasion to inform you, that the Institution is not yet placed in a situation to afford satisfaction, although there is reason to believe that the system of government which is contemplated to be introduced upon the completion of the new building, and which is postponed only to that event, will be attended with the happiest effects. Less progress has been made upon this structure, during the past season, than was desired, or had been anticipated. By the late law, the direction of the work, with the entire control of the labor of the convicts, was given to the Warden, and he has judged, upon his exclusive responsibility, how far the interests of the State would justify a delay in the finishing of the Prison, for the sake of profit upon work for the market. On this question, I have personally entertained the strongest conviction of the primary importance of an early command of means for the greater restraint of the convicts, and I have not failed, on every suitable occasion, to urge the opinion upon the attention of those, to whom it might with propriety be addressed. It is a vain expectation, that either economy in the arrangements of business, or sobriety of deportment in the conduct of prisoners, can be secured, while mischievous combinations, deception, disobedience, and avoidance of labour, may escape observation and punishment. The different employments of the convicts, in the shops, on the prison, and in various parts of the yard, which is unavoidable during the operation of building, renders it difficult to exercise a suitable watchfulness over them, and is wholly unfavourable to a strict and efficient course of discipline for their control. In this view of the subject, I suggest

the expediency of an order, by the Legislature to the Warden, to direct the whole force of the prison labour, which can be made beneficially to apply, to the immediate completion of the new building. The cells of a part of the third, and of the whole of the fourth story of the original plan, with a part of the exterior walls and the roof, yet remain to be constructed. But a considerable proportion of the materials are in preparation, and the accomplishment of the work is entirely practicable in the early part of the season.

The Commission constituted under the authority of a Resolve of the 4th of March last, and whose powers were extended by a subsequent Resolve of the 11th of June, have presented to me a minute, detailed, and most elaborate Report of their examinations of the Prison Accounts, from the thirtieth of September 1823, to the first day of October 1828, and of the accounts of the Superintendent of the new building. This document exhibits, probably, for the first time, a perfectly precise and accurate view of the financial concerns of the Institution, inasmuch, as connected with a statement of the annual Receipts and Expenditures, is now to be found a particular inventory and true estimate of the value of every species of property. So thorough indeed have been the labours of the Commissioners in the performance of the duties assigned them, that there can be no occasion hereafter to go behind their Report, to ascertain the state of affairs at the time of its date. The late Warden of the Prison having recently resigned his office, I felt myself justified in requesting the Commissioners to continue the auditing of his accounts up to the day of his discharge, that there might be distinct and certain data by which to determine the future accountability of his successor.

The vacancy occasioned by the resignation has been supplied by a new appointment, and the officer is now in the execution of the duties of his station.

The expenses of the Prison, the last year, for the support and employment of the convicts, have exceeded their earnings by \$12,167 07. This is to be accounted for, in a great measure, by the reduced price of hammered stone, and the successful competition of persons, abroad, in obtaining contracts for work. It will deserve, however, the particular regard of the responsible officers, how far a change in the manner of procuring the rough material, and the supplies for the Prison, may be made to diminish the expense in future.

In the month of August last, a fire was communicated, probably by design of one or more of the convicts, to the range of Brick Work Shops in the Prison Yard, by which the roof and the greater part of the interior, with some stock and moveable property, were destroyed. The exterior walls were immediately afterwards reduced to the height of one story, and the building altered and repaired in such manner, as better to answer the purposes for which in future it will be wanted. The loss to the Commonwealth, exclusive of any difference there may be in the value of the former and the present shops, is estimated by the late Warden, at about fifteen hundred dollars.

During a violent tempest in October, a part of the old wall of the Yard, west from the New Prison, was blown down. The work appears, most obviously, to have been improperly and unfaithfully constructed. Many years since, a different section of the same line of wall fell, and was rebuilt from the foundation. It will be found necessary to repair the present breach in a like thorough manner. In the mean while, until this can be done, the yard

is made secure by a temporary barrier, which has been erected.

The examinations and surveys, which were assigned by the Legislature to the direction of the Commissioners of Internal Improvement, have been completed since the last session, and plans of proposed routes for *Rail Roads* from Boston to Providence, and from Boston to the Hudson River, with estimates of the cost of construction, in detailed Reports, will be submitted to your consideration. It can be neither useful nor proper, that I should occupy your attention by anticipating in this address the various information which will be afforded by the doings of the Commissioners and Engineers. They will appear to have resulted in an entire assurance of the practicability of the great improvements which have been contemplated, and in presenting the strongest inducements to the Government and People, to encourage them to their immediate undertaking. The Reports will exhibit distances, preferences of location, difference in estimates of expense, and comparative advantages, from occasions of business, *upon every direction of way which has justified examination*, and no reasonable ground of enquiry will remain, to occasion delay in determining the manner and time of proceeding to the work. Referring the Legislature, as I would most respectfully do, to a former expression of my sentiments to them, and on repeated occasions to former Legislatures, on the general subject of this species of improvement, for whatever influence of opinion it may become the Executive to attempt, I beg leave only to add, that every passing day bears witness, that, for want of facilities to intercommunity between the interior and the capital of the State, the most serious diversions of trade



are taking place to other markets. Already hundreds of tons of merchandise have been carried from the warehouses of a neighbouring Government, through a new channel, into a central and populous district of the Commonwealth. Within a few weeks of impeded and experimental navigation only, in the very commencement of the use of the Blackstone Canal, nearly *four hundred tons of freight* were delivered at its head, while double that quantity was discharged at different points upon the route, and a great amount it is said, which was ordered, has been left, by the premature withdrawal of the boats, to be transported with the opening of another season. By this channel also, a direct trade in lumber has commenced with the State of Maine, and in goods with the city of New York, from either of which places, water conveyance fifty miles inland into Massachusetts, is at half the cost of land carriage from Boston to Worcester only. The occasion of business along this line of artificial communication has been estimated to require, for the next year, the constant employment of at least *twenty boats, of a tonnage of from 20 to 30 tons each*. It is not however, to counteract the success of this, or of any other enterprise, that different projects are to be undertaken. They all tend to the improvement of the condition of country. Multiply them, and additional capacities are afforded to employ and sustain an augmented population; the means of intercourse are increased, by-paths are made frequent, remote places brought near, the demands of trade better supplied, the establishment of manufactures and the spread of the useful arts promoted, and by their extension new markets are created for the productions of agriculture, and the cultivation of the earth is encouraged.

In answer to a letter of inquiry addressed by me to the Chairman of the Board of Internal Improvement, which Board was specially charged with the examination of a Route for a *Canal* from tide waters near the city of Boston, to intersect the Blackstone Canal, and thence to the waters of the Connecticut River, I am informed that progress has been made in executing the commission, and that a report may be expected early in the course of the present session. The engagements of the Engineer upon the Rail Road surveys have necessarily occasioned delay in the completion of this service.

The present situation of the Claim of the State upon the General Government requires, that it should be presented to your attention. The history of the embarrassments, vexations and disappointments, which have been experienced in its prosecution, need not be repeated. A Report of the late Secretary of War, recently published by order of the House of Representatives, has again brought the subject before Congress. The appeal may now be urged directly to the wisdom and justice of the Nation. It was time, long since, that this question should have been disposed of, and I hesitate not to declare, that a further postponement of it ought not to be acquiesced in. The *honor* of the State demands, that the subject should be better understood, and its *interest*, that it should be promptly decided. The merits of the Claim have never yet been matter of candid and faithful examination with those on whom it has devolved to make provision for its payment. Whenever it has been proposed for consideration, prejudiced minds seizing upon objections to certain indefensible principles which were asserted during the war, without inquiry into the extent of their practical

application, or heeding whether they applied at all to the character of the service, have most unwarrantably reproached and condemned the State, its Government, and its rights, alike unheard and misunderstood, together. If this debt is not now to be satisfied, let there, at least, be a responsibility resting somewhere, for the refusal. A sovereign State, when exhibiting its demands at the bar of the Nation, may expect to learn wherefore they are resisted. It is not within the obligation of loyalty, tamely to submit to a denial of justice. In a Republican Government, it is the right of the humblest individual to be heard, and much more is that measure of respect due to a constituent member of the Union, which shall secure a patient and faithful attention to its representatives. Whatever should or might have been attempted by the Executive of the State to procure an allowance of the claim, it is believed, has, at no time, been neglected. By the Report of the Secretary, the whole case is now within the view of Congress. The accounts, the vouchers, all the papers, and all the means of information which ever can be afforded to an explanation and understanding of the charges, are at their control. Neither the shortness of the present session, nor the pressure of other business, should be a reason for not giving precedence to this investigation. It is among the oldest, and in magnitude of pecuniary and of political interest, is one of the most important concerns, which can be presented for discussion. I recommend to the Legislature to adopt a memorial or other mode of address, which shall express with firmness and energy, the sense entertained by the Government of Massachusetts, of the rights of the State, of the injustice and prejudice already suffered from delay in

the allowance of the claim, and which shall insist upon its immediate payment, as the fulfilment of the obligation of the General Government to provide for the common protection and defence, and to do equal justice to every State of the Union. Let this be accompanied with a request to the Delegation in both Houses of Congress, to enforce the demand by the utmost of their exertions. It will strengthen their hands to the task. It will give them confidence in the success of their efforts. It will authorize them to speak in the name of the People, and with the voice of the sovereignty of Massachusetts ; and if this ancient Commonwealth, the earliest and foremost of the parties to the confederacy, which poured out, with profusion, its blood and treasure, to achieve the Independence of the Nation, and which, at all periods, has made liberal contributions of talent, patriotism, and service, to the support of the Constitution, and the administration of the Government, is to be regarded, that voice will not be uttered in vain.

The Report of the Secretary of War, to which I have alluded, will be laid before you. It will be found to contain injurious discriminations in the items of account, but these may be the subject of correction before Congress, or an occasion for future attention with some branch of the Executive Department of the Nation.

The Land Agent of the Commonwealth, who, by virtue of sundry Resolves, is vested with important powers in the management of the property in the public lands, within the limits of the State of Maine, will report, directly to the Legislature, his proceedings in the discharge of the trusts committed to him. The sales of timber, the last year, have been considerable, and have probably sav-

ed so much from the depredations to which the lands, from their exposed situation in the neighborhood of large Rivers, and there remoteness from protection, are liable. It is unquestionably for the interest of the Commonwealth, that permits for the cutting of timber should continue to be given, where the lands are thus situated; and the experience and fidelity of the Agent, with his personal knowledge of the country, are an assurance, that the confidence which has been reposed in his discretion, will not fail to be justified. Under the authority of a Resolve of the 22d of February last, the Land Agent, with the Treasurer of the Commonwealth, acting as joint special Commissioners, have disposed of several Townships near Moosehead Lake and south of the Monument Line, to an amount in price, of about twenty six thousand dollars. The proceeds, in payments required upon the purchase, and in securities for instalments of the balance, have been passed into the Treasury, and the money, as received, is mingled with the receipts from the ordinary sources of revenue. It has often been proposed, and it cannot but deserve the most serious consideration, that the sales of the public lands should be made to constitute a permanent fund for the support of schools, and the encouragement of learning, or for general purposes of public improvement. If the Government shall ever intend this disposition of the property, it seems necessary that the appropriation should be made, as the sales proceed, and before the Capital shall be further materially diminished. The State is now constantly consuming the principal, and defeating a hope which has been anxiously indulged, that, from this source, there might be an income, at some future period, which should be pledged to sustain and cherish the

most valuable institutions and best interests of the community.

It cannot but afford the highest satisfaction to the Legislature, to be informed, that the benefit of a Resolve, passed on the fourth of March last, in favor of the non-commissioned Officers and Soldiers of the Revolutionary Army, *who were returned as a part of this State's quota, and who served three years and were honorably discharged*, has been claimed by numbers of the survivors of that patriotic and gallant Band, or the Descendants and Representatives of such as have deceased. From a Report of the Land Agent, it appears, that there remain but *nine lots undrawn*, in the Township of Mars-hill, which was appropriated to satisfy the grants to the Soldiers, while there is reason to believe, that there are many more cases in which claims to the bounty will be exhibited and allowed. It hence becomes necessary, that a further assignment of lands from which lots may be drawn should be made by the Legislature, and for this purpose I recommend the subject to your early attention.

An interesting communication from Mr. Gallaudet, Principal of the Asylum of the Deaf and Dumb at Hartford, received through the Department of State, is with pleasure referred to your notice. There are now *fifty four* Beneficiaries of the Commonwealth, in an equal number of males and females, supported and in a course of education at that Institution. With *Thirty two* of these, the limited term of pupilage will expire in the course of the present year, and, from past observation, there is reason to believe, that there will not be a sufficient number of applicants, within the description of the Act of the Legislature, to supply their places. If such should be the fact,

the propriety of permitting a longer continuance at the Asylum, of such of the pupils as should be selected for their talents and proficiency, and who, by further opportunities for instruction, might themselves become qualified to teach, or be otherwise particularly useful, is recommended to your favorable regard. This humane and charitable indulgence is strongly enforced by the observation of the Principal, that "four years affords but a very imperfect opportunity for the education of those, who, like the Deaf and Dumb, begin at the very alphabet of learning, and have to be taught systematically, in the school-room, a great deal that other children acquire by promiscuous conversation and intercourse with Society." It is to be recollected, that these Beneficiaries, without instruction, are not only, from their natural defects, the most helpless and dependant of our Fellow Beings, but, from their condition in society, and the poverty of those, who otherwise would be bound to provide for their support, must be sustained by the public bounty. It is cheering to the heart of the Philanthropist to witness the benign charities of the Government interposed for their relief;—to know, that while the ear is dead to sound and the tongue lost to speech, the mind is opened to acquisitions of knowledge, and life made a blessing by new powers of communication.

The acts for the encouragement of Agriculture and Manufactures will expire by their limitation, on the 20th of February next. The question of continuing the patronage of the Government to these important interests, *through the Agency of the Agricultural Societies*, will therefore, at this time, require decision. Before the next Legislature, the usual and convenient season for issuing

proposals of premiums, for the current year, will have passed, and without the aid of Government, it may be feared, that many of the societies will be unable to hold their customary exhibitions.—To those who have had opportunities to witness the certain and beneficial influence of the bounty which has been distributed by these institutions, it would be matter of regret that it should now cease. It has diffused a spirit of improvement from the Treasury Office to the remotest parts of the Commonwealth. No public bestowment was ever more faithfully applied, and none will be found to have made richer returns to the source from which it was derived. As a measure of political economy, it has yielded, annually, an hundred fold its amount in the increase of taxable capital. A comparative view of the state of Agriculture in Massachusetts, at the time of the passage of the original act for its encouragement, and the present, or the relative valuation of agricultural products to other property, then and now, will not fail to show the impulse which has been given to this vital interest of the Country. The direct countenance of the Legislature to the occupations of husbandry has had the effect to elevate the condition of the practical Farmer. His interests have been brought more distinctly into view. He has found higher rewards in his employment, and honor in the success of his labors. Experience too has shown, that improved cultivation, rather than extent of territory, will best sustain increased population, and the promotion of domestic industry add most to the strength, safety and happiness of a people.

If the Legislature shall judge proper to renew the appropriation, some modification in the manner of its distri-



bution is suggested. Since the incorporation of the New England Society for the promotion of Manufactures and the Mechanic Arts, these interests are brought more especially within the notice of that Institution, and the encouragement which is intended for them, can there be directed to a wider scope for competition, and with better discrimination in the results of skill and of useful invention. The metropolis, which is the place of market for the productions of the manufactory and the work shop, is the convenient place also for their examination for premium, and it has rarely been found that they are exhibited, in variety or quantity, elsewhere. The proportion of bounty which shall be due to agriculture and the household will continue to be distributed by the County Societies, with most satisfaction.

The Constitution and the laws impose high and responsible duties upon certain municipal and executive Officers, in relation to the returns of elections. It has been noticed with concern, that there is great remissness in the discharge of these obligations. The returns from the Congressional Districts have often been incomplete; and in the late Presidential Election, by the omission of seasonable returns from numerous Towns, the votes of hundreds of citizens were lost, on one of the most interesting and deeply exciting questions of political moment. Indeed, the results of elections are put at hazard, by the neglects of those whose duty it is made to transmit the returns. A greater offence to the rights and privileges of Freemen can hardly be committed. It may defeat an election, actually made by a majority of the votes of the people, and create the occasion and trouble of another canvass; or it

may determine a choice upon a minority of the votes which are cast, and give office to those who are not the Representatives of the will of their Constituents.

The consequences are a direct violation, in its very worst form, of the security of the right of suffrage. It is in vain that the ballot is given, if it remains untold in the count. Individuals may find redress for a wrongful rejection of their votes, even from honest error in the presiding officers at elections, but it is of little avail, if the returns of whole communities are lost with scarce an enquiry, and without reprehension. In relation to the past I have nothing to propose, but I beg leave to submit to your consideration, that it should be made the duty of the Secretary of the Commonwealth, at the session next after the return day of an election, to report the names of the towns from which returns were not received, or were unseasonably received, with a note of the time and manner of the reception, that every neglect may be made known to the Legislature, and in their discretion be referred to the prosecuting officers of the Government, for animadversion and correction by the Courts of law.

For the great length of this communication I trust an apology may be found in the importance of the topics to which it relates. Whatever subjects may occur during the session, to require it, will be faithfully referred to your attention, as they present themselves, by special Message.

LEVI LINCOLN.

*Council Chamber, Boston, January 7, 1829.*

## CHAP. XXIV.

*Resolve authorizing the Directors of Internal Improvements to cause their report to be printed.*

January 12, 1829.

*Resolved*, That the Board of Directors of Internal Improvements be, and hereby are authorized, to cause to be printed for the use of the State, such number of copies of their Report, as they may judge expedient, together with such plans and documents, exhibiting the surveys and estimates made under their direction, as they may deem necessary, and that the expenses thereby incurred shall be defrayed out of the monies already appropriated, for the purposes for which the said Board was constituted, after being allowed by the Governor and Council, in the same manner as the other expenses incurred under the direction of the said Board.

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## CHAP. XXV.

*To the Honourable the House of Representatives ;*

In compliance with the request of the House of Representatives on the 14th inst. I transmit copies of all the Certificates on file in the Secretary's Office, made by Commissioners appointed to inspect the Capital Stock paid into the several Banks, within three years last past, pursuant to the provisions contained in their respective Charters.

LEVI LINCOLN.

*Council Chamber, January 17, 1829.*

## CHAP. XXVI.

*To the Honorable Senate and  
House of Representatives ;*

The office of Major General of the *Third* Division of Militia is made vacant by the resignation and honorable discharge of Major General Nathaniel Austin.

LEVI LINCOLN.

*Council Chamber, January 21, 1829.*

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## CHAP. XXVII.

*Resolve authorizing the Treasurer of the Commonwealth  
to borrow any sum not exceeding one hundred and fifty  
thousand dollars.*

January 24, 1829.

*Resolved*, That the Treasurer of this Commonwealth, be, and he is hereby authorized and directed, to borrow of any of the Banks of this Commonwealth or any Corporation therein, or of any individual or individuals, such sum or sums, as may, from time to time, be necessary for the payment of the ordinary demands on the Treasury, at any time before the meeting of the next General Court ; and that he pay any sum he may borrow, as soon as money sufficient for the purpose, and not otherwise appropriated, shall be received in the Treasury : *Provided, however*, that the whole amount, borrowed by authority hereof, and remaining unpaid, shall not, at any time, exceed the sum of one hundred and fifty thousand dollars.

## AZOR HARRIS.—DANIEL LOMBARD.

### CHAP. XXVIII.

#### *Resolve on the Petition of Azor Harris.*

January 27, 1829.

On the Petition of Azor Harris, Guardian to Anna Richards, of East Bridgwater, in the County of Plymouth, an Indian;—

*Resolved*, For reasons set forth in said petition, that said Harris, be, and he hereby is authorized and empowered, to sell at Public Auction, so much of the real estate of said Anna Richards, as will raise the sum of six hundred dollars, for the payment of the just debts of said Anna, and incidental charges, and to execute and deliver good and sufficient deed or deeds, to convey all the right, title and interest which the said Indian has in the same: *Provided*, said Harris first give bond, with sufficient surety, in such sum as the Judge of Probate of said County of Plymouth may direct, to the said Judge and his successors in said office, conditioned, that he will use his best judgment in selling and disposing of said property, for the benefit of said Indian, and make return of his doings therein to the Probate office, within one year after such sale shall be made.

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### CHAP. XXIX.

#### *Resolve on the Petition of Daniel Lombard.*

January 27, 1829.

On the Petition of Daniel Lombard, administrator of Quartus Stebbins, late of Springfield, in the County of Hampden, deceased.

*Resolved*, For reasons set forth in said Petition, that Daniel Lombard, of Springfield, in the County of Hampden, be, and he is hereby authorized, to convey, by deed, to Samuel Osgood of said Springfield, Pew number eighty six, on the ground floor, and Pew number fifteen, in the gallery of the Meeting-house of the first parish in said Springfield, being Pews formerly belonging to Quartus Stebbins, late of said Springfield, deceased.

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### CHAP. XXX.

*Gentlemen of the House of Representatives ;*

In reply to a request, contained in an order of the House of Representatives of the 26th inst. for information of the progress made by the Commissioners appointed pursuant to a Resolve passed February 26, 1828, upon the claim of William Simpson against the Commonwealth, I have the honor to transmit a copy of a note addressed to me by the Chairman of the Commissioners, which is the only communication I have received on the subject.

LEVI LINCOLN.

*Council Chamber, January 27, 1829.*

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### CHAP. XXXI.

*Resolve on the Petition of Thomas H. Perkins and others.*

January 28, 1829.

Upon the Petition of Thomas H. Perkins, Samuel G. Perkins, and William H. Gardiner, as the Executors of

the last will and testament of James Perkins, Junior, late of Boston, in the County of Suffolk, deceased, and the Trustees named in said Will, to take and hold the Real Estate of said James deceased,—praying for authority to convey certain real estate therein described;—

*Resolved*, That the said Thomas H. Perkins, Samuel G. Perkins, and William H. Gardiner, for the reasons set forth in their Petition, and the survivor or survivors of them, be, and they are hereby, authorized and empowered, by any deed, made and executed by them in due form of law, to pass and convey, to such person or persons and for such consideration as Daniel Crommelin and Sons, of Amsterdam in the Kingdom of the Netherlands, the beneficiary proprietors of said real estate, or their agents, may in writing designate, all the right, title and estate of which the said James Perkins, Junior, died seized, in and to one third part, in reversion, of about three acres of land, with a dwelling house and other buildings thereon standing, situated in Dorchester, in the County of Norfolk, and bounded westwardly, on the old Plymouth road, Nothwardly and Southwardly, on land of the heirs of Pelatiah Glover, deceased, and Eastwardly on the Dorchester Turnpike, and that such deed, so executed by the petitioners or the survivor or survivors of them, shall have the full effect in law to pass all the right which the said James held in the premises, at his decease, to the purchaser or purchasers thereof, his or their heirs and assigns forever.

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## CHAP. XXXII.

*To the Honorable Senate, and  
House of Representatives :*

I comply with the request of His Excellency the Governor of Georgia, in laying before you a printed copy of a Report and Resolutions of the General Assembly of

that State, on certain Resolutions of South Carolina and Ohio, in relation to the powers of the General Government and State Rights.

The original Resolutions to which the proceedings of the State of Georgia refer, were communicated by me to the Legislature of this Commonwealth, by special Messages, on the 4th and 29th of February, 1828.

I also transmit a Remonstrance, addressed by the Legislature of the State of Georgia to the States in favor of the Tariff, which has been forwarded to me, for the purpose of being presented to your consideration.

LEVI LINCOLN.

*Council Chamber, January 29, 1829.*

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#### CHAP. XXXIII.

*Resolve on the Petition of the Trustees of the Wesleyan Academy, in Wilbraham.*

January 30, 1829.

*Resolved,* That the said Trustees of said Academy be excused from a compliance with the condition contained in the first Proviso of a Resolve of the Legislature of this Commonwealth, granting a half township of Land to said Academy, passed 11th of March, A. D. 1828, which requires said Trustees, within five years from and after the laying out and location of said half township, to cause ten families to be settled thereon.

*Resolved,* That the Trustees of said Academy be allowed to select the half township of land, granted to them by the Resolve of March 11th, 1828, from any other lands belonging to this Commonwealth, south of the Monument Line, so called, and which may be unappropriated at the time of selection; reserving four hundred and eighty acres for the purposes usual in similar grants, instead of



four hundred, as provided in the aforementioned Resolve : *Provided*, the said Trustees shall comply with the other requisitions of said Resolve.

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**CHAP. XXXIV.**

*Resolve on the Petition of Thankful Wade and Samuel Henry Junior.*

February 2, 1829.

On the Petition of Thankful Wade, Administratrix of William Wade, late of Chester, in the County of Hampden, deceased, and Samuel Henry, Junior, of said Chester, praying that the said Thankful may be authorized to convey to said Samuel certain real estate, which was bargained by said William to said Samuel, and partly paid for by said Samuel :

*Resolved*, That Thankful Wade, of Chester, in the County of Hampden, Administratrix of the goods and estate of William Wade, late of said Chester, deceased, be, and she hereby is, authorized and empowered to convey, by deed, to Samuel Henry, Junior, of said Chester, a tract of land lying in said Chester, called the *Henry Tavern Stand*, and containing seventy acres, bounded as follows, viz : beginning on the river, six rods North of Walker's Brook Bridge, thence running up the river to Charles Shepherd's land, thence Westerly, to the West end of said lot, thence Southerly, to the Northwest corner of the School lot, thence Easterly, to the Northeast corner of the School lot, thence Southerly, to the Turnpike, thence on said Turnpike, to the first bounds, with the buildings thereon : *Provided*, the said Thankful first give bond, with sufficient surety, to the Judge of Probate for said County of Hampden, to account to the said Judge

of Probate for such part of the consideration of the purchase of said land, agreed upon between the said William and said Samuel, as was not paid by said Samuel in the life time of said William.

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## CHAP. XXXV.

*Resolve for the Distribution of the Copies of the Report of the Board of Directors of Internal Improvements.*

February 2, 1829.

*Resolved*, That the remaining copies of the "Report of the Board of Directors of Internal Improvements of the State of Massachusetts, on the practicability and expediency of a Rail Road from Boston to the Hudson River, and from Boston to Providence," printed for the use of the Legislature, be delivered to the Secretary of the Commonwealth, and by him be distributed as follows, viz :

2 copies to each member of the Senate and House of Representatives.

2 copies to each member of the Council.

20 copies to His Excellency the Governor.

5 copies to His Honor the Lieutenant Governor.

12 copies to each of the members of the Board of Directors of Internal Improvements, and to each of the principal Engineers on the Providence and Western Rail Road surveys.

2 copies to the City of Boston, and to each of the Towns in this Commonwealth.

1 copy to each of the Senators and Representatives of this Commonwealth, in the Congress of the United States.

1 copy to the Executive of each State of the United States.

6 copies to be deposited in the Library of the Congress of the United States.

10 copies to be deposited in the Library of this State.

2 copies each to the Boston Athæneum, Massachusetts Historical Society, American Antiquarian Society, and the Pilgrim Society at Plymouth, and the Essex Historical Society.

1 copy each to the Athæneum in Salem, Athæneum in Newburyport, and to each of the incorporated Academies in this Commonwealth.

1 copy to each of the Chaplains and to each of the Clerks of the two branches of the Legislature.

2 copies to each University and College within this Commonwealth.

400 copies to be reserved for the future disposition of the Legislature, and the remaining copies to be distributed as His Excellency the Governor may direct.

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## CHAP. XXXVI.

### *Resolve on the Petition of Vina Robbins.*

February 2, 1829.

*Resolved*, for reasons set forth in said Petition, that there be allowed and paid unto Vina Robbins, widow of William Robbins, late of Millbury, in the County of Worcester, deceased, the sum of four dollars and eighty cents, the same being the amount of fees which accrued to the said William, as a witness, at the June term of the Court of Common Pleas for said County in 1822, and which has been paid by the Treasurer of said County into the Treasury of the Commonwealth,—and His Excellency the Governor, by and with the advice of Council, is requested to draw his warrant on the Treasury of this Commonwealth for the abovementioned sum.

## CHAP. XXXVII.

*To the Honourable Senate, and  
House of Representatives :*

Since the communication by my Message of the 29th of January, a Document, purporting to be a "Memorial on the subject of the late Tariff, addressed by the General Assembly of the State of Georgia to the Anti-Tariff States," has been received by me, which I deem it my duty to lay before you, alike, from a regard to the probable design of its transmission, and the obvious propriety, that all the public proceedings and avowed purposes of a Sister State, on the same occasion, should be made known to you, while she proposes any part of her measures as subjects for your official action.

LEVI LINCOLN.

*Council Chamber, February 4, 1829.*

## CHAP. XXXVIII.

*Resolve on the Petition of William Eaton.*

February 5, 1829.

On the Petition of William Eaton, Esquire, of Worcester, praying for compensation for his services and expenses in apprehending and prosecuting to conviction Mark Winslow, of Boston, for having in his possession divers false, forged and counterfeit bills, purporting to have been issued by Banks not incorporated within this Commonwealth, with intent to utter and pass the same :

*Resolved*, for reasons set forth in said Petition, that there be allowed and paid unto the said William Eaton, the sum of forty dollars, for his services and expenses in causing the said Mark Winslow to be apprehended and convicted as aforesaid ; and His Excellency the Governor is hereby requested to draw his warrant on the Treasurer of this Commonwealth, in favour of the said William Eaton, for the aforesaid sum.

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### CHAP. XXXIX.

*Resolve on the Petition of James Morrill and others.*

February 5, 1829.

On the Petition of James Morrill and others :—

*Resolved*, That there be paid to James Morrill and others, owners of the Turpentine Factory in Charlestown, out of any money in the Treasury not otherwise appropriated, the sum of three hundred and sixty dollars, which sum shall be in full for the use and occupation, by the Agents of the Commonwealth, of a piece of ground adjoining the State Prison, from March 1804, to the present time. And His Excellency the Governor, with the advice of Council, is requested to draw his warrant on the Treasurer, in favour of the said James Morrill, as Agent of the said Company, for the aforesaid sum.

## CHAP. XL.

*A Resolve providing for the payment for the repairs in the Hall of the House of Representatives.*

February 5, 1829.

*Resolved*, That there be allowed and paid, out of the Treasury of this Commonwealth, to J. H. Wheeler, William Marden, and Safford & Low, five hundred and eighty two dollars and seventy eight cents;—To J. W. Wheeler twelve hundred and twenty four dollars and two cents;—To Gore & Baker five hundred and forty nine dollars and nineteen cents;—and to William Hancock twenty two dollars and fifty cents, in full for repairs by them made in the Hall of the House of Representatives; and His Excellency the Governor is requested to draw his warrant accordingly.

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## CHAP. XLI.

*Resolves respecting the Deaf and Dumb.*

February 7, 1829.

*Resolved*, That John Oliver David, and William S. Smith, two of the pupils now at the American Asylum at Hartford, be continued at said Asylum, as beneficiaries of the State, for any term not exceeding two years from and after the expiration of the term of four years from the time of their admission respectively, according as the Executive of this Commonwealth may determine to be necessary for their complete education.

*Resolved*, That whenever the Principal of said Institution shall think it necessary for the complete education of any pupil, that now is or hereafter may be a beneficiary of this State at said Institution, that he or she should remain a pupil therein for a longer term than four years from the time of his or her admission, the Executive of this Commonwealth shall have authority to extend the term of instruction of such pupils beyond the period of four years: *Provided*, that no beneficiary of this State, at said Institution, shall remain a pupil thereof for a longer time than six years from his or her admission.

*Resolved*, That there be paid, annually, from the Treasury of this Commonwealth, upon the warrant of the Governor, out of any monies not otherwise appropriated, so much as may be necessary to carry into effect the foregoing Resolve: *Provided*, that the total sum so paid shall not exceed annually six thousand five hundred dollars.

*Resolved*, That no beneficiary of this State, after entering said Asylum, shall be withdrawn therefrom, but with the consent of the proper authorities of said Institution, or of the Governor of this Commonwealth.

## CHAP. XLII.

### *Resolve on the Petition of Phineas S. Nutting.*

February 9, 1829.

On the Petition of Phineas S. Nutting, of Ashburnham, in the County of Worcester, stating, that at a Regimental Review, on the twenty second day of October last, while in the line of his duty, as a private in the regiment commanded by Col. Jonas A. Marshall, his musket accidentally went off, by which he lost his right eye, and his face was otherwise much lacerated and injured;—

*Resolved*, For reasons set forth in said Petition, that there be allowed and paid, out of the Treasury of this Commonwealth, to the said Phineas S. Nutting, the sum of one hundred and fifty dollars, in consideration of the wound aforesaid, and the consequent expenses and loss of time; and his Excellency the Governor is hereby requested to draw his warrant on the Treasury, in favour of the said Phineas S. Nutting, for the aforesaid sum.

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## CHAP. XLIII.

*Resolve granting three hundred dollars to build a house for Public Worship and School House, at Christiantown.*

February 9, 1829.

On the Petition of Frederick Baylies, a Missionary among the Indians on Martha's Vineyard, praying for an appropriation from the Treasury of the State, to build a Meeting House and School House, for the use of the Indians at Christiantown:

*Resolved*, That there be paid out of the Treasury of this Commonwealth to Daniel Fellows, Jr. of Edgartown, Esquire, Guardian of the Indians on Martha's Vineyard, the sum of *three hundred dollars*, to be, by him, expended in the building of a House at Christiantown, suitable for Public Worship and a School House, for the use of the Indians inhabiting that place. And His Excellency the Governor is requested to draw his warrant on the Treasury for the same; the said Daniel Fellows, Junior, to render to the Governor and Council a true account of his expenditures in the premises, to be by them examined and allowed.



## CHAP. XLIV.

*Resolve providing for the compensation of the Commissioners, appointed to make partition of the lands belonging to the Indians and people of colour, inhabitants of the Island of Chapequiddic, and Christiantown, in Dukes County.*

February 10, 1829.

*Resolved*, That there be allowed and paid, out of the Treasury of this Commonwealth, to the several Commissioners appointed to make partition of the lands belonging to the Indians and People of Colour, inhabitants of the Island of Chapequiddic, and Christiantown, in Dukes County, the respective sums following to wit: to John Hancock, one hundred twenty six dollars and six cents; Thomas Fish, one hundred twenty three dollars and seventy three cents; Jeremiah Pease, one hundred sixty six dollars and forty eight cents; in full of all their expenses, sums paid in full to assistants and chain bearers, and for their services, and all other expenses by them in anywise incurred, in and about the duties enjoined on them by their commission, which issued pursuant to an act of this Commonwealth; and that his Excellency the Governor, be, and is hereby authorized and requested, to draw his warrant on the Treasurer, in favour of the said several persons respectively, for the several sums aforesaid.

## CHAP. XLV.

*To the Honorable Senate and  
House of Representatives :*

The Commissioners of the Board of Internal Improvement, to whom the Legislature by a Resolve of the 2d of March, 1827, assigned the duty of making a survey of a Route for a Canal from Boston to the Blackstone Canal, and to the line of the State of Connecticut, to meet a proposed Canal leading from Norwich in that State, and thence to extend their survey to Western, in the County of Worcester, have transmitted to me their Report, with accompanying Plans, Profiles, and Estimates of expense, which I hasten to present to your examination.

The Route preferred by the Commissioners, is, through Brighton and Watertown to Newton Lower Falls, thence through Natick and Medway, generally by the course of the Charles River, to the summit level in Bellingham, 36 miles from Boston and 210 feet above tide waters; and thence  $7\frac{1}{2}$  miles further, by a descent of 20 feet, to the intersection with the Blackstone Canal in Mendon; making the whole distance from Boston to the Canal  $43\frac{1}{2}$  miles. The Route is then with the Blackstone Canal to Worcester, about 26 miles. Here, leaving the Canal, it proceeds by a summit level in Ward, through part of Oxford and Dudley, into Thompson in the State of Connecticut, and to the waters of the Quinabaug, and up the valley of that River, through Southbridge and Sturbridge, to a summit level, nearly at the height of the level of the Podunk Pond in Brookfield; and thence down the Quabog River, a branch of the Chickopee, to Western.

The distance from Worcester to Western, on the line of the survey, is 50 miles, with a lockage of about 500 feet. The line extended to Springfield, at the estimated distance of 24 miles, will make the whole Route, from Boston to that place, about 46 miles further than the present stage

road, and from Boston to Worcester, about 26 miles greater than by the Turnpike.

The expense of constructing the Canal is estimated by the Commissioners, at 10,200 dolls. per mile, on the *Eastern Section*, from Boston to the point of intersection, with the Blackstone Canal; and on the *Western Section*, from the Canal in Worcester, over the Ward summit, by Thompson in Connecticut, to Western, at 13,500 dollars per mile; or an average of about \$12,000 per mile for the whole distance of  $93\frac{1}{2}$  miles of new construction from Boston to Western, exclusive of damages for land.

Abundant supplies of water, in the opinion of the Commissioners, may be obtained for the purposes of the Canal, upon each section of the Route, without prejudice to existing hydraulic works.

The Commissioners state, that the limited appropriation of One Hundred Dollars, to extend the survey from Western to Connecticut River, by the route of the valley of the Chickopee, would not admit of their completing that service, within the condition of the Resolve of the 11th of March last.

The Reports of the Commissioners and Engineer, with the very beautiful Maps from actual surveys, presented by the latter, will be found to afford much topographical information alike interesting and useful to the public.

LEVI LINCOLN.

*Council Chamber, February 11, 1829.*

## CHAP. XLVL

*A Resolve confirming the assessment of a County Tax for the County of Berkshire.*

February 11, 1829.

Whereas, an estimate of a County Tax was made and adopted by the Court of Sessions for the County of Berk-

shire, at the September term of said Court in the year of our Lord one thousand eight hundred and twenty seven, amounting to seventeen thousand and five hundred dollars, and whereas the same was duly transmitted by the Clerk of said Court to the Secretary of this Commonwealth, and by said Secretary delivered to the Committee on County estimates, in due season to be acted on by the Legislature at their January session A. D. 1828. And whereas the same was mislaid, so that no Resolve of the Legislature was passed, authorizing the levying and collecting said Tax, and whereas the Clerk of said Court did issue warrants for the levying and collecting said Tax of seventeen thousand and five hundred dollars, directed to the Selectmen or Assessors of the several towns in the County of Berkshire, by which warrants said taxes were made payable into the County Treasury by the first day of November A. D. 1828. *Therefore, Resolved*, that the doings of the Clerk in issuing said warrants, and of all persons acting under the same be confirmed, and that the same be as valid as if they had issued by virtue of a Resolve of the Legislature.

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## CHAP. XLVII.

*Resolve granting Taxes for the several Counties.*

February 11, 1829.

Whereas the Treasurers of the following Counties have laid their accounts before the Legislature, which accounts have been examined and allowed; and the Clerks of the County Commissioners, for the said Counties, have exhibited estimates made by said Commissioners, of the necessary charges which may arise within their respective Counties for the year ensuing, and of the sums necessary to discharge the debts of the said Counties.

*Resolved*, That the sums annexed to the several Counties contained in the following Schedule, be, and the same are hereby granted as a Tax for each County respectively, to be apportioned, assessed, paid, collected and applied, for the purposes aforesaid, according to law, viz :

The County of Essex, thirty thousand dollars,	\$30,000
Middlesex, fourteen thousand dollars,	14,000
Worcester, twelve thousand dollars,	12,000
Hampshire, ten thousand dollars,	10,000
Franklin, fifteen thousand dollars,	15,000
Hampden, five thousand dollars,	5,000
Berkshire, fourteen thousand dollars,	14,000
Norfolk, eleven thousand eight hundred and fifty dollars,	11,850
Bristol, twenty thousand dollars,	20,000
Plymouth, six thousand dollars,	6,000
Barnstable, four thousand six hundred and fifty dollars,	4,650
Dukes County, six hundred dollars,	600

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#### CHAP. XLVIII.

*Resolve to pay expenses of Sickness and Funeral of James Taber, Esquire.*

February 11, 1829.

*Resolved*, That the sum of two hundred and six dollars be paid out of the Treasury of this Commonwealth, to Jacob Kuhn, Messenger of the General Court, in order to defray the expenses of the last sickness and funeral of James Taber, Esquire, late a Member of the House; said Kuhn to account therefor, and that His Excellency the Governor be requested to draw his warrant for the same on the Treasurer,

## CHAP. XLIX.

*To the Honourable Senate, and  
House of Representatives :*

I herewith transmit a Report of the Commissioners appointed pursuant to a Resolve of the 26th of February, 1828, upon the Claim of William Simpson, against the Commonwealth, which presents a statement of facts in the case, and results in an expression of the unanimous opinion of the Commissioners, that *no compensation, indemnity or payment is due, in law or equity, from this Commonwealth, to the Petitioner.*

LEVI LINCOLN.

*Council Chamber, February 12, 1829.*

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## CHAP. L.

*Resolve on the Petition of Joseph N. Howe and others.*

February 13, 1829.

Whereas, Mary, the wife of Thomas Smith, formerly of Boston, gardner, deceased, was seized of certain parcels of land in Boston, herein described, in fee simple, and whilst she was living, and the wife of said Thomas, was in such circumstances as rendered it necessary that the said lands should be sold for her support, but was unable to join in said sale, or execute the deeds thereof, and the said Thomas, by his several deeds, conveyed the same to sundry persons, to wit :—to James Burdakin, by deed dated the sixteenth day of October, A. D. 1793, a lot of

land bounded south-east on Pleasant street, there measuring fifty feet ; north-westerly on land then of James Blake ; north-westerly on the sea or salt-water ; and north-easterly on land of Thomas Whitmarsh, carrying the same width from front to rear ;—and to Jeremiah Leaming, by deed dated the twenty-ninth day of August, A. D. 1795, a small gore of land, bounded westerly or north-westerly on Pleasant street, there measuring fourteen feet ; northerly or north-easterly on Eliot street, one hundred feet, and diminishing in breadth till it comes to a point, at that distance from Pleasant Street.

And whereas, the said Mary Smith is alleged to have died without issue, and without any heirs at law, by means whereof, and of her not having signed the said deeds, the said lands did escheat and revert to the Commonwealth.

And whereas, the said lots of land, by sundry mesne conveyances, have come to the possession of certain persons, named Joseph N. Howe, Deborah Parker, Joseph W. Revere and Isaac Parker, all of Boston, who severally hold parcels thereof, for valuable considerations paid by them respectively, and who have, by petition, prayed for relief from the General Court in this behalf,—wherefore in consideration of the premises :

*Resolved*, That the Commonwealth of Massachusetts doth hereby release unto the said Joseph N. Howe, Deborah Parker, Joseph W. Revere, and Isaac Parker, respectively, and their respective heirs and assigns, all the right, claim and interest which this Commonwealth hath in and to the afore described lots of land, to have and to hold the several parcels thereof now in the possession of the said Joseph N. Howe, Deborah Parker, Joseph W. Revere, and Isaac Parker, respectively, unto them and each of them, their, his or her respective heirs and assigns, in the same manner as they would have done, if the deeds aforesaid had been duly and legally executed by the said Mary Smith, with her said husband Thomas Smith.

## CHAP. LI.

*Resolve to repeal former Resolves relating to the celebration of our National Independence.*

February 14, 1829.

*Resolved*, That a Resolve passed on the 30th day of June, 1786, entitled a Resolve on the Governor's Message, for commemorating the 4th of July, 1786, requesting His Excellency to order a discharge of cannon, and desiring the Chaplain to officiate in the religious exercises of the day, and requesting the Governor, with the advice of Council, on future occasions, to cause the day to be thus celebrated; and also a Resolve, passed March 1, 1826, entitled "a Resolve making an appropriation for celebrating the anniversary of our National Independence," be and the same are hereby repealed.

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## CHAP. LIJ.

*Resolve relating to Lands granted to Revolutionary Soldiers.*

February 18, 1829.

The Committee on Public Lands, to whom was referred that part of His Excellency's Message relating to the further assignment of lands to those Soldiers of the Revolutionary Army, who are entitled to lots under previous Resolves, from which they may continue to draw their



lots,—have had the subject under consideration, and ask leave to report the following Resolves.

THOMAS WELSH, Jr. *Chairman.*

*Resolved*, 'That the Land Agent be, and he hereby is, authorized to convey, by good and sufficient deeds, to each non-commissioned officer and soldier, (who has not already received land or money under the provisions of the Resolves of the 5th day of March, 1801, and 4th day of March, 1828) who enlisted into the American army, to serve in said army from the date of his enlistment during the remaining period which the Revolutionary War with Great Britain should continue, and shall have completed, conformably to said enlistment, a term of time not less than three years, and who was honourably discharged, and to their heirs and assigns, two hundred acres of land, to be drawn within four years from the date hereof, from any of the remaining undrawn lots in Mars hill township, or two hundred acres each, from each of the following townships, viz : Township No. 4, of the 2d range of townships in the County of Somerset, north of Bingham's Kennebeck Purchase ; or Township No. 2, of the 7th range of townships in the County of Penobscot, west of the Monument, so called, all in the State of Maine : *Provided*, that no more than 20 lots shall be drawn from either of said townships, and the same shall be drawn in such manner as will reserve intermediate lots to the Commonwealth.

*Resolved*, That said Agent cause said Township No. 2, 7th range, to be surveyed into lots of two hundred acres for the purpose aforesaid.

## CHAP. LIII.

*Resolve concerning Gores and Slips of Land, in Maine.*

February 18, 1829.

Whereas, it has been represented that there are several gores and small tracts of land in different parts of the State of Maine, which escaped the knowledge of the Commissioners appointed under the Act of Separation, at the time they were making a division of these small remnants, consequently they remain the undivided property of this Commonwealth and the State of Maine, and are not considered to be of much value,

The Committee on Public Lands ask leave to report the following Resolve.

THOMAS WELSH, Jr. *Chairman.*

*Resolved,* That the Land Agent of this Commonwealth, conjointly with the Land Agent of the State of Maine, be, and he is hereby authorized and empowered to sell and convey, by deeds of quitclaim, all such small tracts or gores of land, in the State of Maine, from time to time, as they shall come to his knowledge, for the benefit of the two States of Massachusetts and Maine, provided it appears evident the same are owned by said States,

## CHAP. LIV.

*Resolve relating to the Sale of Public Lands.*

February 18, 1829.

The Committee on Public Lands, to whom was referred the Report of the Land Agents of the sales they have made of the Public Lands, by which it appears they have sold or have agreed to sell the six townships they were authorized to dispose of by virtue of a Resolve passed the 22d day of February last, and that further sales may be advantageously made;—The Committee, therefore, ask leave to report the following Resolve.

THOMAS WELSH, Jr. *Chairman.*

*Resolved*, That said Agents be, and they are hereby authorized and empowered, to make sale of six townships more of the lands belonging to this Commonwealth, situate in the State of Maine, lying south of the Monument Line, so called, and around Moosehead Lake, either at public or private sale, on such terms and conditions as they may judge will best subserve the interest of this Commonwealth, with authority to convey the same by good and sufficient deeds.

## CHAP. LV.

*Resolve directing the Solicitor General relative to an Action in the name of the Commonwealth against the Town of Tyringham.*

February 18, 1829.

*Resolved*, That the Solicitor General be, and hereby is, directed to discontinue an action now pending before the Supreme Judicial Court for the County of Suffolk, in the name of the Commonwealth against the Town of Tyringham, instituted by him under a Resolve passed February, 1828, and to commence another action against said Town in the County of Berkshire, under the same Resolve.

## CHAP. LVI.

*Resolve on the Petition of Nathaniel Stearns, Guardian of Edwin Mears and Charles Mears, minors, and John Baldwin, Guardian of Lucy Ann Mears, Nathan Mears, and Elbert Mears, minors, praying for leave to sell certain parcels of Real Estate, belonging to said minors.*

February 19, 1829.

*Resolved*, for the reasons set forth in said Petition, that Nathaniel Stearns, of Billerica, in the County of Middlesex, Guardian of Edward Mears and Charles Mears, minors, and John Baldwin, of said Billerica, Guardian of Lucy Ann Mears, Nathan Mears and Elbert Mears, minors, be, and they are hereby authorized and empower-

ed to sell at private sale, all the right, title and interest of said minors, in and to a certain tract of land and water privilege, situate in said Billerica, at the Canal Mills, so called, and known by the name of the "Blacksmith's Forge and Iron Works;" also, all the right, title and interest of said minors in and to a certain other tract of land and water privilege, situate at the said Canal Mills, called the "Little Factory," or "Woollen Factory;" also, one undivided third part of about one acre of land, with a dwelling house, barn, and out buildings thereon, situate at the said Canal Mills, called the "Fessenden Place;" also, one undivided third part of about twenty-nine acres of wood land; also, one undivided half of about half an acre of land in said Billerica, called the "Sims' Place," and to make and execute good and sufficient deeds to the purchaser or purchasers thereof: *Provided*, the said guardians respectively, before making sale as aforesaid, give bonds to the Judge of Probate for the said County of Middlesex, with sufficient sureties, that they will conduct faithfully in all things relating to the same, and will account for the proceeds of such sale or sales whenever thereunto legally required.

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## CHAP. LVII.

*Resolve making an appropriation for the State Prison.*

February 20, 1829.

*Resolved*, That there be allowed and paid, out of the Public Treasury, for the use of the State Prison, the sum of twenty-four thousand nine hundred and thirty dollars, and sixty-eight cents, to be drawn from the Treasury by the Warden of said Prison, in such sums as the Governor, with the advice of Council, shall, from time to time, di-

rect ; and His Excellency the Governor, with the advice of the Council, is hereby authorized and requested to draw his warrant on the Treasury for the said sum accordingly.

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CHAP. LVIII.

*Resolve on the Petition of Abner Bird.*

February 20, 1829.

*Resolved*, That Samuel Allen, Esquire, Treasurer of the County of Worcester, be, and he is hereby authorized and required to remit to Abner Bird, the sum of one hundred and fifty dollars, on the judgment recovered by said Allen as Treasurer aforesaid, on a note given by said Bird in satisfaction of a recognizance entered into by Emory Thompson to the Commonwealth.

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CHAP. LIX.

*Resolve providing for the settlement of the Accounts of the former Guardians of the Christiantown Indians.*

February 20, 1829.

*Resolved*, That there be allowed and paid out, of the Treasury of this Commonwealth the sum of thirty-eight dollars and eighty-seven cents to John Cottle and Benjamin Allen, in full for the balance of all accounts, and for

all services performed by them as the former Guardians of the Christiantown Indians in Dukes County, and that His Excellency the Governor, with the advice of Council, is hereby authorized and requested to draw his warrant accordingly : *Provided*, that the said John Cottle and Benjamin Allen shall produce a certificate of the present Guardian of said Indians, certifying that they have satisfactorily accounted for the sum of fourteen dollars and forty cents, received by them for the rent of Olive Howsweis land, for the years 1816 and 1817.

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### CHAP. LX.

*Resolve on the Petition of the Trustees of the Massachusetts Society for promoting Agriculture.*

February 21, 1829.

*Resolved*, That there be, and hereby is, granted to the Trustees of the Massachusetts Society for promoting Agriculture, one half of a township of land, the contents of six miles by three miles, for the support and maintenance of the Massachusetts Professorship of Natural History, (in lieu of a township granted for the same purpose by a Resolve dated the fourth day of March, 1809) to be located, surveyed and assigned under the direction of the Land Agent, at the expense of said Trustees, within five years from the date hereof, from any of the unappropriated lands lying south of the Monument Line, so called, which shall belong to this Commonwealth at the time when said survey shall be made. And the Land Agent is hereby authorized to make a deed of conveyance to said Trustees, or their assigns, subject, however, to a reservation of three lots, of one hundred and sixty acres each, for the following uses, viz :—one lot for the first

settled Minister, his heirs and assigns ; one lot for the use of the Ministry ; and one lot for the use of Schools in said half township.

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CHAP. LXI.

*Resolve on the Petition of Martin Wheelock, granting a renewal and continuance of his Pension.*

February 21, 1829.

On the Petition of Martin Wheelock, of Conway, in the County of Franklin, praying for the renewal and continuance of his Pension, on account of a wound which he received while on Militia duty :

*Resolved*, That there be allowed and paid out of the Treasury of this Commonwealth to the said Martin Wheelock, the sum of thirty dollars a year for the term of three years, from the 12th day of June, A. D. 1827, should he live so long, in full for a wound which he received when on military duty, in October, 1818.

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CHAP. LXII.

*Resolve on the Petition of William Robinson, Guardian to the Dudley Indians, so called.*

February 24, 1829.

*Resolved*, That the said William Robinson, for reasons set forth in his Petition, be, and hereby is, discharged



from said trust, from and after the first day of March next ; and that the Governor of this Commonwealth be authorized and empowered to appoint, from time to time, Guardians of said Indians ; and the said Guardians, so appointed, shall be vested with the full powers and authority which have been heretofore vested in the Guardians of said Indians, and to be in the same manner accountable to this Legislature. The said Guardians shall, each and every year, in the month of January, exhibit and lay their accounts for articles delivered, or services performed, for said Indians, before the Selectmen of the town of Dudley, for the time being, whose duty it shall be to examine and certify their opinion on said accounts, whether the whole, or what part thereof, ought to be allowed ; which account and certificate shall be presented to the Committee on Accounts, and allowed, according to the provisions of a Resolve for selling said Indians' land, passed June the 7th, one thousand seven hundred and ninety-seven, any Law or Resolve to the contrary notwithstanding.

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#### CHAP. LXIII

*Resolve on the Petition of Moses Whitney, for permission to perpetuate evidence of notice of the sale of certain Real Estate.*

February 25, 1829.

*Resolved*, for reasons set forth in said Petition, that Moses Whitney, of Stow, in the County of Middlesex, administrator of Abraham Priest, late of said Stow, deceased, be, and he is hereby, authorized and empowered to file in the Probate Office within said County, at any time within two months from and after the passage of this Resolve, an affidavit that he gave notice of the sale of

certain Real Estate of said deceased, situate in Marlborough, pursuant to a license of the Judge of Probate for said County ; and such affidavit, being so filed, shall be evidence of said notice, and of the time, place and manner in which the same was given, as effectually as if such affidavit had been made and filed in the said Probate Office within the time prescribed by law

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## CHAP. LXIV.

*Resolve for the survey of a Rail Road from Plymouth to Wareham, in the County of Plymouth.*

February 25, 1829.

*Resolved*, That the Board of Commissioners of Internal Improvements, appointed in pursuance of a Resolve passed on the 22d day of February, in the year of our Lord one thousand eight hundred and twenty-seven, be directed to survey a route for a Rail Road from Plymouth to Wareham, in the County of Plymouth ; and said Commissioners are directed to make their report to the Governor and Council, as soon as conveniently may be, after completing said survey, and that the Governor cause the same to be laid before the Legislature at the first session thereof next ensuing : *Provided*, the expenses of the said survey shall not exceed the sum of two hundred and fifty dollars.

CHAP. LXV.

*Resolve relating to the Files and Records of this Commonwealth.*

February 25, 1829.

*Resolved*, That the Secretary of the Commonwealth be, and he hereby is, directed to take into his care and keeping, all books and papers belonging to the Commonwealth, not already under the care of some other officer of the Government, excepting those belonging to the Executive, or to one of the two branches of the Legislature; and that he proceed to put the same, together with the papers now in his office, not in that condition, into proper order and regular files, and to make out a list of said files, and of all the papers therein contained, as soon as may be, consistently with the proper discharge of the other duties of his office.

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CHAP. LXVI.

*Resolve for the settlement of the Accounts of Thomas Harris.*

February 25, 1829.

*Resolved*, That Thomas Harris, late Warden of the State Prison, be, and he is hereby required to exhibit his Account for expenditures for the new Prison at Charlestown, and the several vouchers therefor, to the Governor

and Council, who are hereby authorized and empowered to audit and settle the Accounts of the said Harris in relation to the new Prison.

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CHAP. LXVII.

*Resolve making an appropriation for the Quarter Master General's Department.*

February 25, 1829.

On the Memorial of William H. Sumner, Acting Quarter Master General :

*Resolved*, That the sum of four thousand seven hundred and three dollars and eighty-five cents, be, and hereby is, appropriated to defray the expenses of the Quarter Master General's Department ; and that His Excellency the Governor, by and with advice of Council, be requested to draw his warrants on the Treasurer for the same, for such sums and at such times as the public service shall require, in favor of the Acting Quarter Master General, for the faithful application of which he is to be accountable.

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CHAP. LXVIII.

*Resolve on the Petition of John S. Popkin.*

February 26, 1829.

On the Petition of John S. Popkin, of Cambridge, in the County of Middlesex, Doctor of Divinity, as Guardian of

Ebenezer W. Popkin, of Malden, in said County, a non compos mentis person, praying for leave to sell, at public or private sale, the undivided share of said Ebenezer, of and in the real estate therein and hereinafter described, and to convey the same accordingly ;

*Resolved*, for the reasons set forth in said Petition, that said John S. Popkin, as such Guardian of said Ebenezer W. Popkin, be, and he hereby is, fully authorized and empowered to sell, at public or private sale, all the right, title and interest of said Ebenezer in and to nine undivided sixteenth parts of said real estate, consisting of about seven acres of land and a wooden dwelling house, barn and corn crib thereon, situate in the northwesterly part of the village, (so called) in New Bedford, in the County of Bristol, in this Commonwealth, and bounded and described as follows, to wit :—west, by the old County road, leading from Clark's Cove to the head of Accushnet River ; north, by land now owned, or lately owned, by William Rotch ; east, by a town lot, and south, by a cross street ; and by deed, duly executed, acknowledged and recorded, to convey the same accordingly to the purchaser or purchasers thereof, in as full and ample a manner as said Ebenezer could, if he were of sound mind, and capable of selling and conveying real estate : *Provided*, the said Guardian first take an oath before the Judge of Probate in and for the County of Middlesex, to act faithfully and impartially, according to his best skill and judgment, in making said sale, and give bond, with sufficient sureties, to the said Judge, to act as aforesaid in making said sale, and to account for and make payment of the proceeds of said sale, agreeably to the rules of law.

CHAP. LXIX.

*Resolve providing for the pay of Clerks.*

February 26, 1829.

*Resolved*, That there be paid, out of the Treasury of this Commonwealth, to the Clerk of the Senate, eight dollars per day; to the Clerk of the House of Representatives, ten dollars per day; and to the assistant Clerk of the Senate, six dollars per day; for each and every day's attendance, they have been or may be employed in that capacity during the present Session of the Legislature, and that there be further paid, to the Clerk of the Senate and the Clerk of the House of Representatives, one hundred dollars each, for copying the Journals for the Library as required by the orders of the two Branches of the Legislature; and his Excellency the Governor is requested to draw his warrant accordingly.

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CHAP. LXX.

*Resolve relating to Survey for a Canal from Boston Harbour to Narragansett Bay.*

February 26, 1829.

The Committee on Railways and Canals have examined the Report of the Commissioners, appointed to attend the Engineer ordered by the General Government to survey a Canal Route from Boston Harbour to Narragansett Bay; from which it appears, that in the years of 1827 and

## 128 COMMITTEE TO AT. U. S. ENGINEERS.

1828, the Government of the United States caused surveys to be made of the country lying between Boston Harbour and Narragansett Bay, for the purpose of ascertaining the practicability of constructing a Canal, and as the information obtained in prosecuting such surveys may prove of much benefit to the people of this State, they would respectfully submit the following Resolve.

JOHN W. LINCOLN, *Chairman.*

*Resolved,* That his Excellency the Governor be requested to apply to the Secretary of War for a copy of the Report of the Engineers, who, by authority of the General Government, made the surveys for a Canal Route from Boston Harbour to Narragansett Bay, together with a copy of such plans, maps or estimates as may accompany such Report.

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## CHAP. LXXI.

*Resolve for paying the Committee appointed to attend United States Engineers in surveying routes for a Canal from Boston Harbour to Narragansett Bay.*

February 26, 1829.

*Resolved,* That there be allowed and paid, out of the Treasury of this Commonwealth, to the several persons appointed as "a Committee to attend such Engineers as may be appointed by the General Government, and to point out to them the various routes which have been proposed for the purpose of uniting the waters aforesaid," the respective sums following to wit :

To Minot Thayer, the sum of one hundred dollars,  
To Benjamin Hobart, the sum of one hundred dollars,  
To William Mason, the sum of one hundred dollars,  
Which said several sums shall be in full for all claim for

services or expenses, under the order of the two branches of the Legislature by which they were appointed, and his Excellency the Governor, by and with the advice of the Council, is hereby authorized and requested to draw his several warrants upon the Treasury in favor of the said Minott Thayer, Benjamin Hobart, and William Mason, for the several sums aforesaid.

CHAP. LXXII.

*Resolve on the Petition of Thankful Wade, Jonathan Dwight, Junior, and Edmund Dwight.*

February 26, 1829.

On the petition of Thankful Wade, of Chester, in the County of Hampden, Administratrix of William Wade, late of said Chester, deceased; Jonathan Dwight, Junior, of Springfield, in said County, and Edmund Dwight, of Boston, in the County of Suffolk, setting forth, that the said petitioners were partners in trade, doing business in said Chester, and that said William died solely seized of certain real estate, the property of said copartnership, and to which said Jonathan and Edmund were entitled, each to one fourth part;—

*Resolved,* For reasons set forth in said petition, that the said Thankful Wade, be, and she hereby is, authorized, by proper deeds, to convey to the said Jonathan Dwight, Junior, and Edmund Dwight, their heirs and assigns, each, one fourth part of the following described estates, or to sell and convey the whole interest of the said William, Jonathan and Edmund therein, as she may judge for the interest of all concerned therein, either at public or private sale, viz : one tract, partly in said Chester, and partly in Norwich, bounded easterly, on private land of said William, northerly, on land of said William and Plin



Day, westerly, on the road, and southerly, on a ridge of rocks, with the buildings thereon, containing ten acres, conveyed to said William by John Jackson; one tract in the second division of lots in said Chester, being the north half of a lot of one hundred and fifty five acres, the whole of which is bounded as follows, beginning at the south-east corner of Samuel French's fifty acre lot, at a hemlock and stones, thence westerly, on said Frenchs' south line 110 rods, thence the same course, by other lands, thirty rods to a stake and stones, thence south, one hundred and seventy and a half rods, to land of Brewster and Silas Freeman, Junior, thence east, one hundred and forty rods to the west line of the Fobes farm, thence south, to the first bounds, conveyed to said Wade by Sherebiah Butts; one tract in said Chester, bounded as follows, beginning at a stake and stones on the road from Norwich bridge to Chester meeting-house, thence west, fifteen degrees south one hundred and seven rods, thence north, ten degrees west sixty rods, to land of Walkley and Leonard, thence east, on said Walkley and Leonard to said road, thence south, on said road to the first bounds; containing thirty five acres, conveyed to said Wade by Edmund Dwight; one tract in said Chester, bounded southerly, on the meeting-house lot and burying ground, easterly, on a county road, westerly on the turnpike, and northerly, running to a point at the intersection of said roads, containing half an acre of land with the buildings thereon, conveyed to said Wade by William Dickinson; one tract in Blandford, beginning at a birch staddle in a small brook near the eighth Massachusetts Turnpike, thence west, thirty two and a half degrees south twelve and a half rods, to a stake and stones, thence south, thirty two and a half degrees, east, thirteen rods to a stake and stones, thence east, thirty two and a half degrees north, twelve and a half rods to a stake and stones, on the bank near said turnpike, thence on said turnpike to the first bounds, containing one and a half acres, with the buildings thereon, conveyed to said Wade by Abraham Nutts; also an old potash building in Blandford, on the road from Falley's roads to Blandford meeting-house; also a tract of land in Norwich, bounded

northerly, on private land of said Wade, westerly on land of Leonard Williams, southerly on the County road to Northampton, and easterly, on the highway, containing half an acre, with the buildings thereon, conveyed to said Wade by Walter Bodurtha; also a tract in said Chester, bounded westerly, on West river, northerly on Aaron Hunter, east and south on land formerly William Tiffany's, conveyed to said Wade by Samuel Phelps; also a tract in Russell, containing one and a half acres, with a factory, mills and house thereon, formerly owned by John Gould; also a tract in said Chester, called the Fry lot, being woodland, and containing thirty three acres; also a tract in said Chester, set off on execution against Joseph A. Rust, bounded as follows, viz. beginning at the northwest corner of said Rust Farm, and running thence east ten degrees north, thirteen rods and twelve and a half links to a stake and stones, by a wall, thence south seventeen degrees east forty one and a half rods to a stake and stones, thence west, eighteen degrees south fourteen rods, thence north, twenty eight degrees west, four rods and fifteen links, thence west, twenty eight degrees south six rods, thence north, eleven degrees west, thirty five rods, thence north, fifteen degrees east six rods to the first bounds, containing five acres; and the said Thankful is hereby authorized and empowered to convey to the said Jonathan and Edmund, or either of them, the whole of such portion of said lots as will be equivalent in value to the interest of them or either of them in said copartnership: *Provided*, the said Thankful, before sale of the interest which of right would belong to the estate of said William Wade therein, as such partner, shall give bond with sufficient surety to the Judge of Probate for said County of Hampden, conditioned to account for the proceeds thereof in the settlement of the account of her administration on the estate of said William, and shall also account, with the said Jonathan and Edmund, for the proceeds of any part of their interest therein sold in pursuance of the authority herein given.

CHAP. LXXIII.

*Resolve respecting the Statue of Washington.*

February 27, 1829.

*Resolved*, That his Excellency the Governor, with the advice of Council, be authorized and requested to make such repairs of the walls and pavement of the appendage to the State House in which is erected the Statue of Washington, as he shall deem necessary, and to draw his warrant on the Treasurer for the amount of the expenditure in such repairs.

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CHAP. LXXIV.

*Resolves for ascertaining the number of Blind Persons in this Commonwealth.*

February 28, 1829.

*Resolved*, That the Mayor and Aldermen of the City of Boston, and the Selectmen of the several Towns in this Commonwealth, be directed to ascertain and report to the Secretary, on or before the first day of June next, the number of blind persons in their respective towns, their ages, sex, and also their pecuniary circumstances, to the end that the Legislature may ascertain how far it is expedient to provide for their instruction.

*Resolved*, That the Secretary cause an attested copy of the above resolution to be furnished to the Mayor and Aldermen of the City of Boston, and the Selectmen of the several Towns of this Commonwealth, on or before the first day of May next.

## CHAP. LXXV.

*Resolve on the Accounts of the Land Agents.*

February 28, 1829.

*Resolved*, That George W. Coffin and Joseph Sewall, Esquires, Agents of the Commonwealth for selling the Public Lands in the State of Maine, and also for the general care and management thereof, be, and they hereby are, discharged from the payment of the sum of twenty-eight thousand one hundred and twenty-four dollars and ninety-eight cents, specified in their account presented to the Senate on the 2d day of February, instant. And the Governor, with the advice of Council, is hereby requested to draw his warrant in favor of the said George W. Coffin, for the sum of twelve dollars and thirty-three cents in full balance of the same account.

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## CHAP. LXXVI.

*Resolve for paying John V. Low.*

March 2, 1829.

*Resolved*, That there be allowed and paid from the Treasury of this Commonwealth to John V. Low, Assistant Messenger to the Governor and Council, two dollars per day for each and every day he has been; or may be; employed in that capacity, during the present session of the Council; and His Excellency the Governor, with the advice of Council, is authorized and requested to draw his warrant on the Treasury accordingly.

## CHAP. LXXVII.

*Resolve relating to Returns of Votes to the Office of the Secretary of the Commonwealth.*

March 3, 1829.

*Resolved*, That it shall be the duty of the Secretary of the Commonwealth to report to the Legislature, at each session, the names of all towns, the returns of whose votes shall not hereafter be duly and seasonably made to his Office, in all cases in which such returns are required by the Constitution or Laws of this Commonwealth; and to state the time and manner in which any such returns, made unseasonably, shall have been received.

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## CHAP. LXXVIII.

*Resolve on the Petition of Esther Nichols and others, praying that William Perry be authorized to establish the boundary line of the estate of certain minor children of Israel Nichols, late of Leominster, in the County of Worcester.*

March 3, 1829.

*Resolved*, For the reasons set forth in said Petition, that William Perry, Esquire, of Leominster, in the County of Worcester, be, and he is hereby authorized, upon such terms as he may deem equitable and just, to convey the interest and title of the said minors, in so much of their real estate, on the west side of the north branch of the

river Nashua, in said Leominster, as may be necessary to quiet their title, and establish a just and convenient boundary line between said premises and the land adjoining thereto, owned by Jonas Kendall and others: *Provided*, that such conveyance be made with the approbation of the Judge of Probate for the County of Worcester.

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## CHAP. LXXIX.

*Resolve for allowing a sum of money to Jacob Kuhn.*

March 3, 1829.

*Resolved*, That there be allowed and paid, to Jacob Kuhn the sum of forty dollars, as a compensation for arranging and labelling the files of the Senate since the year 1822, in compliance with the order of that Board of the 13th of March, 1828, and that His Excellency the Governor be requested to draw his warrant on the Treasury for the same.

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## CHAP. LXXX.

*Resolve to pay for the Indexes to the Journals of the Senate.*

March 3, 1829.

*Resolved*, That there be allowed and paid, out of the Treasury of this Commonwealth, to Paul Willard, Clerk of the Senate, for his labour and services in preparing

Indexes to the Journals of the Senate, from the adoption of the Constitution, and also a general Index to the same, under the order of the Senate of March 3, 1827, four dollars for each and every day, during which he has been, or shall be, actually employed in said service, during the recesses of the Legislature : *Provided*, that the aggregate amount paid to the said Willard shall not exceed the amount paid to Pelham W. Warren for preparing Indexes to the Journals of the House ; and His Excellency the Governor, with advice of Council, is hereby authorized to draw his warrant or warrants on the Treasury accordingly.

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## CHAP. LXXXI.

*Resolve for paying the Chaplains of the two Houses.*

March 3, 1829.

*Resolved*, That there be allowed and paid, out of the Treasury of this Commonwealth, to Rev. William Jenks, Chaplain of the Senate, the sum of seventy dollars, for his services the present political year, and to Rev. Daniel Sharp, Chaplain of the House of Representatives, the sum of fifty dollars, for his services the present session of the General Court ; and that His Excellency the Governor be, and he hereby is, authorized to draw his warrant on the Treasury for the payment of the sums aforesaid.

## ROLL, No. 100.....JANUARY, 1829.

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The COMMITTEE ON ACCOUNTS having examined the several accounts presented to them, Report,

That there is due to the several Corporations and Persons hereafter mentioned, the sums set to their names respectively, which, when allowed and paid, will be in full discharge of the said accounts, to the dates therein mentioned ; which is respectfully submitted,

By order of said Committee,

JOHN KEYES, *Chairman.*

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### PAUPER ACCOUNTS.

Attleborough, for the support of Thomas Riley, Mary Montgomery, E. M. Montgomery, Ann Bromley and her children, Samuel, Mary, Betsey, Eleanor and James, to January 1, 1829,	286 07
Amesbury, for the support of Robert Barker and Ann Read, to January 2, 1829,	50 65
Andover, for the support of sundry paupers, to January 1, 1829;	211 30
Ashburnham, for the support of Mrs. Stinegar, William Stinegar and Hiram Stinegar, and funeral cost omitted in the last bill, to January 19, 1829.	124 60



Adams, for the support of Philena Hill, Jemmy Dersy and wife, Robert Harris, Ebenezer Lilley, Sarah Goodrich, Uriah Carpenter, Sarah Dodge, Molly Dimon, Agnes Morris, Doctor Carpenter and funeral cost to February 1, 1829,	348 47
Belchertown, for the support of Armeida Barden, Fidelia Barden, Hannah Leavens, and Ellena Lucinda McKee, to January 1, 1829.	64 66
Billerica, for the support of James Dunn, Thomas Jones, David Cain, to January 12, 1829,	57 15
Becket, for the support of Elizabeth Hamlin, to January 2, 1829,	27 52
Beverly, for the support of Dolly Claxton, Ira Hammond, Jacob Wheeler, Lemuel Hammond, Richard Dorain, Catharine Dorain, Nathaniel Winslow, and John Kelly, to January 1, 1829,	43 37
Bradford, for the support of Eliza Brown, to October 16, 1828,	13 50
Berkley, for the support of Jacob Toney, John Pollydon Bowers, to January 1, 1829,	70 20
Burlington, for the support of John A. Parker, Thomas Hardman and funeral cost, to January 25, 1829,	62 60
Bridgwater, for the support of John Chestnut and his wife, and Joanna F. Bigmi, to January 24, 1829.	89 10
Braintree, for the support of Titus, a coloured man, Christopher Joseph, Ann Gowith and their children, Joseph, Mary Ann, and Ann Maria, to January 1, 1829,	218 40
Barre, for the support of Dinah Barker, and James Davis, Jun. to January 26, 1829,	47 60
Boston, City of, for the support of Juvenile Offenders, to December 31, 1828, inclusive,	\$383 50
For the support of Paupers to same date,	1219 02
For the House of Industry to same date,	4986 99 6589 51

Brimfield, for the support of Thomas Corban, John Shelburn and James Hunter, to January 28, 1829,	91 80
Brighton, for the support of John T. Baker, to January 7, 1829,	46 80
County of Essex, for the support of sundry Paupers in the House of Correction, to October 14, 1828,	821 83
County of Norfolk, for the support of sundry Paupers in the House of Correction to December 26, 1828,	153 42
Coleraine, for the support of sundry Paupers, to January 5, 1829,	293 70
Concord, for the support of Jane Nightingale and funeral cost, Daniel Bishop and funeral cost, to January 1, 1829,	20 64
Chesterfield, for the support of Sarah Polly and funeral cost, to January 1, 1829,	45 05
Conway, for the support of Sally McMurphy, Martha McMurphy, and funeral cost, Hannah Hall and Enoch Grover and funeral cost, to January 1, 1829,	90 48
Cheshire, for the support of Ephriam Richardson, Noel Randall, Polly Cooper, and Silas Hunt, to January 9, 1829,	95 40
Charlestown, for the support of sundry Paupers, to January 13, 1829,	2829 24
Canton, for the support of Hannah Buckley, to January 22, 1829,	36 90
Cambridge, for the support of sundry Paupers, to January 26, 1829,	2431 61
Duxbury, for the support of Lydia Dow, to January 12, 1829,	46 80
Dalton, for the support of Charles McKee, and Richard Horn, to May 5, 1828,	35 16
Dracut, for the support of Moses Freeman Knowles, Lucy Hadley and three children, to January 10, 1829,	122 47
Deerfield, for the support of Dolly Roberts, Daniel Ellis, Lovina Wetherell, Prince Manuel and	

James Cook, and funeral for D. Roberts, to January 1, 1829,	172 02
Dighton, for the support of Molly Fisk, to January 1, 1829,	46 80
Danvers, for the support of John Fitzgerald, Owen Mellen, Cæsar Wilcox, James Wallace, Ruth Parsons, Morris Foley, John Henly, Thomas Littlewood, Catharine Marshall, Mary, Agnes, John and William, children of Thomas and Catharine Marshall, John Webber, John Kierman, Ann M. Francis, John Doury, Brien McLaughlin, and Daniel Coval, to January 28, 1829,	303 36
Dudley, for the support of Allsbury Reynolds, Sarah Reynolds, and William Sloam, to January 27, 1829,	80 50
Egremont, for the support of Benjamin Daley, Betsey Daley, Reuben Vanquilder, Isaac Freeman, Harriet Kline, Albert Kline, Nancy and William Race, to January 14, 1829, and for an error in the account of 1828,	303 17
Eastham for the support of Benjamin F. Johnson, to January 1, 1829,	46 80
East Bridgwater, for the support of Lucinda Nero and child, Betsy Chase, Nathaniel Sumner, Elisha Stevens and Meribah Williams, to January 17, 1829,	216 84
Essex, for the support of Samuel Coleman, to November 26, 1828,	23 40
Freetown for the support of an Indian, Abigail, and Hannah her child to January 22, 1829,	60 29
Fairhaven for the support of Akus Sisson, John Bissemore, Philip Wing, Sarah Carr, and John Carr, a child, to January 1, 1829,	258 98
Foxborough for the support of Nancy Bartlett, and Sally Donaldson, to January 6, 1829,	21 14
Falmouth for the support of Edward Edwards, to January 19, 1829,	46 80
Framingham for the support of Allick Taylor, Daniel Campbell and Julia Blake, to January 9, 1829,	84 35

# PAUPER ACCOUNTS.

141

Gloucester for the support of sundry Paupers, to January 12, 1829,	476 80
Greenfield for the support of Olive Bates' child, to January 1, 1829,	26 00
Great Barrington, for the support of Isaac Hoose, Mary Hoose, Joanna Porter, Lucy Porter, and Temperance Sears, and funeral cost of Betsey Dodge, to January 7, 1829,	149 90
Granville for the support of Samuel Gallup, and Sally Stewart, to January 3, 1829,	55 80
Groton for the support of Richard Benton, Eunice Benstrardt, Mary Rolf and Sarah Conn, to January 10, 1829,	158 40
Grafton for the support of Joseph Philips, Sarah Philips, 2d. Stephen Philips, and Francis L. Whitaker, to January 27, 1829,	62 50
Hancock for the support of Silas Shipman and his wife, Israel Clark, and John H. Norton, to January 5, 1829,	101 48
Haverhill for the support of sundry Paupers, to January 5, 1829,	26 28
Hadley for the support of Reuben Allen, to January 1, 1829,	46 80
Hanson for the support of Elizabeth Jore, to January 1, 1829,	30 68
Hingham for the support of John Despare, to November 29, 1828,	22 49
Ipswich for the support of John O. Brien, Thos. Powers, and Michael O. Neal and funeral cost, to February 1, 1829,	78 80
Kingston for the support of Sophia Holmes, to December 12, 1828,	46 80
Lee for the support of Sarah Ross, Rebecca Wilson, Sidney and John McKey, Cornelius Post, John Summers and wife, to January 6, 1829,	80 06
Lanesborough for the support of sundry Paupers, to January 6, 1829,	329 10
Lenox for the support of sundry Paupers, to January 5, 1829,	223 50

Ludlow for the support of Harvey Olds, and Orra Bube, to December 31, 1828,	63 81
Leyden for the support of Arnold Clark, Tacy Fuller, Hannah Cole, Ruth Abel, and Joseph Abel, to January 6 & 7, 1829,	191 45
Leveret, for the support of John Ganzy, to January 1, 1829,	46 80
Leicester, for the support of sundry Paupers, to January 1, 1829,	350 00
Lunenburg, for the support of William Shearer, to March 22, 1828,	53 36
Longmeadow, for the support of Dorcas Coville, James Hall, William Cornill and funeral cost, to January 1, 1829,	62 60
Lynn, for the support of John Battes, Francis M. Henry, Eliza, Ann, James, John and Robert O. Neal, Ann and John Farrell, to February 1, 1829,	135 00
Lowell, for the support of Thomas Hart, Moses B. Gibart, Florence McCarty, Martha Harvey, Susan Eaton and Thomas Harris, to December 5, 1828,	31 34
Montgomery, for the support of Willard Converse, to January 1, 1829,	27 52
Millbury, for the support of Philip Condey, Martin and Isaac Flood, to May 26, 1828,	28 80
Methuen, for the support of William Richards and Mary Ann Richards, to January 1, 1829,	83 00
Medford, for the support of Dorothy Lyman, Thomas Payzart, Robert Wheeler and wife, William White and John Rodgers, to January 1, 1829,	92 20
Medfield, for the support of George Turner, to November 25, 1828,	46 80
Milton, for the support of Archibald McDonald, James Bowman, John J. Meyer, George Hamilton, Hannah Cunningham, to February 2, 1829,	107 10
Monson, for the support of Mary Allen, Flora Story, Roxana Wallis, Dickinson Wallis, Ben-	

# PAUPER ACCOUNTS.

143.

jamin Wallis, Elizabeth Whittier and five children, viz: Samuel, Henry, George, Mary and Caroline, to January 1, 1829,	187 89
Middleborough, for the support of sundry Paupers, to January 17, 1829,	1113 03
Nantucket, for the support of sundry Paupers, to January 1, 1829,	419 40
Northampton, for the support of sundry Paupers, to January 1, 1829,	538 69
Newbury, for the support of sundry Paupers, from June 1, 1828, to January 1, 1829,	742 35
New Ashford, for the support of Patience Miles, to December 29, 1828,	73 39
Northborough, for the support of Jacob West, to January 1, 1829,	46 80
Norton, for the support of Nancy Barton, to January 10, 1829,	35 10
Norwich, for the support of Ruth Sanford, to January 15, 1829,	46 80
Newburyport, for the support of sundry Paupers, to January 1, 1829,	831 77
New Braintree, for the support of Mary Rogers, to January 3, 1829,	46 80
North Bridgewater, for the support of James Dorrin and William Lewis, to January 10, 1829,	72 80
North Brookfield, for the support of Esther Johnson, to January 12, 1829,	29 70
Overseers of Marshpee Indians, to January 11, 1829,	526 80
Otis, for the support of sundry Paupers, to January 1, 1829,	69 68
Paxton, for the support of William Fisk, to January, 13, 1829,	122 49
Pelham, for the support of William Banks and Harriet Whipple, to December 24, 1828,	52 00
Phillipston, for the support of Abraham Scholl, to January 1, 1829,	46 80
Pembroke, for the support of Rhoda Prince and Mary Gifford, to January 23, 1829,	62 17

Plymouth, for the support of John M. Roap, John Werthing, James Read, Thomas M. Smithson, to February 2, 1829,	103 36
Richmond, for the support of Uriah Fuller, Samuel Hill, Nancy Jessup, Martha Hagar, Susan Darling, Amos Darling, and Sarah Ann Darling, to January 12, 1829,	170 50
Royalston, for the support of Olive Clements, to January 13, 1829,	46 80
Rochester, for the support of Edward B. Sanford, and wife, and children, viz : Alfred, Amos, Charles and Edward, to January 1, 1829,	197 60
Rowley, for the support of sundry Paupers, to January 8, 1829,	221 25
Rowe, for the support of Betsey Carpenter, Patience Carpenter, Almira Wilcox, Mary Wilcox and Noah Wilcox, to January 3, 1829,	89 90
Roxbury, for the support of sundry Paupers, to January 3, 1829,	389 72
Robinson, William, for the Dudley Indians, to May 27, 1828,	105 63
Rochoboth, for the support of Aaron Freeman, Lucy Kelly, John Kelly, Rosana Freeman, Joseph Austin, Catharine Jackson, John Hopkins and Nancy Greene, to December 30, 1828,	200 51
Sheffield, for the support of sundry Paupers, to January 8, 1829,	232 80
Seekonk, for the support of William Greene, Elizabeth Cowden, Hannah Robbins, Susannah Mattison and Reuben Frost, to January 2, 1829,	197 09
Sutton, for the support of James Norbury, to January 7, 1829,	46 80
Saugus, for the support of Susan Walton, Roxana Walton, Graty G. Walton, and Hannah Walton, to January 12, 1829,	33 60
Sandisfield, for the support of Richard Dickson and Phillis his wife, to January 3, 1829,	57 60
Sturbridge, for the support of Anna Stedman, Christian Williams and child, and Joshua	

# PAUPER ACCOUNTS.

145

Buckingham and funeral cost, to January 1, 1829,	72 72
Stockbridge, for the support of Abraham Parmela, Margery Curtis, Dinah Ellery, William Porter, Martha Doud and Samuel Rathbone, to December 1, 1828,	171 40
Salem, for the support of sundry Paupers, to December 31, 1828,	1421 19.
Somerset, for the support of Ruth and Polly Hill, Ann McGivens and three children, viz.: Ann, Thomas and Alice, to January 3, 1829,	218 40
Southampton, for the support of John Cockran, Timothy Fisk, Charles Patrick Quintan, to January 1, 1829,	44 10
Stoughton, for the support of Isaac Williams, Jr. and Michael Myron, to January 8, 1829,	93 60
South Hadley, for the support of Elizabeth and Cordelia Benjamin, to December 13, 1828,	9 80
Shewsbury, for the support of William Kerr and funeral cost, to January 6, 1829,	10 53
Springfield, for the support of sundry Paupers, to January 1, 1829,	253 52
Shutesbury, for the support of Peter Jackson and wife, and Sarah Jinnore and children, to January 2, 1829,	199 20
Shelburn, for the support of Mary Bates and Elizabeth Bates, to January 14, 1829,	46 60
Sharon, for the support of Edward Ellis, Elizabeth Ellis, and Susannah Rider, to January 21, 1829,	97 20
Sandwich, for the support of Hannah Griffen, to January 14, 1829, and Fillis Loring, to January 25, 1829, and Partrick Powers and Jeremiah Dean, to same date,	146 03
Spencer, for the support of Millnzas Theophiles, Eleanor Freeman and Susanna Cowland, to January 16, 1829,	124 80
Swahzey, for the support of Martha Dousnips, Thomas McCarter and his wife Inde, and Susannah, an Indian, to February 1, 1829,	429 60



Townsend for the support of Miranda Jackson, Samuel B. Jackson, Henry Jackson, children of Margaret Jackson, to January 1, 1829,	45 84
Taunton for the support of sundry Paupers, to January 1, 1829,	259 06
Tisbury for the support of Ela Marks and her child to May 16, 1828,	16 80
Tyringham for the support of Richard Gardner and wife, Asa Thompson, Elizabeth Hicks, Samuel Humphrey, Hannah Ayers, Martha Rogers, Rebecca and Olive Porter, and Jonathan Porter, from January 7, 1827, to January 7, 1829,	549 22
Upton for the support of John Brown and funeral cost, to August 10, 1828,	34 70
West Newbury for the support of sundry Paupers, to January 1, 1829,	169 42
Washington for the support of James Lamb, Olive Clark and two children, James Robbins and Nancy Robbins, to January 1, 1829,	132 40
West Bridgewater for the support of Thomas Quindley to January 1, 1829,	46 80
Western for the support of Thomas Humphrey and wife, and Cyrus Humphrey, and funeral cost for said Thomas, to August 19, 1828,	24 35
West Springfield for the support of Hannah and Louis Shevoy, Laura Chapin, and Rodney Benedict, to January 3, 1829,	98 99
Williamstown for the support of sundry paupers, to January 2, 1829,	263 79
Windsor for the support of Robert Burgess, to January 1, 1829,	32 43
West Hampton for the support of Mary Ann Sherman, Filia Sherman, Jane Gay, Harry Miller and funeral cost, Sylvia Miller and John Cockrane, to January 1, 1829,	118 13
Westford, for the support of Ephraim Spaulding, to January 8, 1829 and funeral cost of Sarah Com,	51 80
Winchendon for the support of Richard Furlong, to January 2, 1829, and funeral cost,	49 00

**PRINTERS' & MISCEL. ACCOUNTS. 147**

Walpole for the support of James Cotteral, to December 29, 1828,	18 00
West Stockbridge for the support of sundry Pau- pers to January 1, 1829,	207 47
Westfield for the support of John N. Berry, Es- ther Berry, Asceneth Gibson, Mary Parks, Ma- ry Ann Baker, Aaron Burr, George Gibson, Robert Livingston, Hepzebah Brewer, and John Butter to January 1, 1829, and funeral charges for two paupers,	236 45
Warwick for the support of J. C. Miller, to Jan- uary 26, 1829,	50 00
Wenham for the support of Pompey Porter to January 1, 1829,	46 30
Watertown for the support of Samuel Latch, Ma- ry Latch, Wm. Deley, Henry Boom, Thomas Powers, Patrick Dowd, Gilbert Kirker, Rosana Kirker and four children, and Sally Ellis, and funeral cost, to January 31, 1829,	179 08
Yarmouth for the support of James Well, Thomas Peters, and Black Bets, to January 2, 1829,	91 80

**PRINTERS' AND MISCELLANEOUS ACCOUNTS.**

JANUARY, 1829.

Allen, Phineas, for publishing laws, &c. to Janua- ry 3, 1829,	16 67
Allen, E. W. for printing laws, to August 1, 1828,	10 66
Adams, Wm. & Co for repairs about State House, to January 27, 1829,	47 65
Burditt, James W. for Stationary, to January 29, 1829,	240 83
Ballard and Prince, for furniture for State House, to Dec. 26, 1828,	68 91
Blaney, Henry, for work about State House, to January 26, 1829,	182 57
Boston for repairs to Rainsford Island, to January 12, 1829,	172 19

# 148      PRINTERS' & MISCEL. ACCOUNTS.

Bradlee, Samuel, for repairs of State House, to January 6, 1829,	21 80
Carter, Andrews & Co. for printing laws, to January 1, 1828,	16 66
Danforth and Thurber, for printing laws, to January 1, 1829,	33 33
Denny, Austin, for printing laws, to May 31, 1828,	16 67
Dutton & Wentworth, for printing 1000 copies of Report of Directors of Internal Improvement, to June 12, 1828,	20 00
Farmer & Brown, for printing laws, to January 1, 1829,	16 67
Gore & Baker, for repairs, &c. to State House, to May 20, 1828,	22 20
Goodrich, I. W. for stationary to January 1, 1829,	58 87
Griffin & Morrill, for printing laws to June 15, 1828,	16 67
Hilliard, Gray & Co. for blank book,	27 50
Hancock, William for repairs to State House to December 8, 1828,	26 32
Judd, Sylvester Jr. for printing laws to May 28, 1829,	16 67
Loring, James for Registers to January 2, 1829,	10 00
Mann, J. & W. H. for printing laws, to January 1, 1829,	16 67
Oliver, John, Island keeper for Rainsford Island, including ten cords wood, at \$60 to January 1, 1829,	104 44
Parrott, Wm. W. for settling with Treasurer of the Commonwealth to June 30, 1828,	14 00
Phelps & Clark, for printing laws to January 1, 1829,	16 67
Russell, Benjamin, for printing laws &c. to June 11, 1828, and for newspapers and advertising,	62 91
Rantoul, Robert, for settling with the Treasurer of the Commonwealth to June 30, 1828,	14 00
Shute, John B. for printing laws to November 1, 1827,	16 67
Strong, Henry K. for printing laws to January 16, 1829,	16 66

## SHERIFFS' AND CORONERS' ACCOUNTS. 149

Savage, James, for settling with the Treasurer of the Commonwealth to June 30, 1828,	14 00
Snelling, Enoch W. for repairs about State House to January 28, 1829,	72 81
Tannett, A. G. & Co for printing laws to May 1, 1828,	33 34
Thornton, John, for printing laws to January 1, 1829,	16 66
Tufts, Turrell, for settling with the Treasurer of the Commonwealth to June 30, 1828,	14 00
Thayer, A. W. for printing laws to January 1, 1829,	16 67
Warren & Wilson, to printing laws to November, 1828,	16 67
Wheeler, John H. for repairs about the State House, to January 30, 1829,	159 42

## SHERIFFS' AND CORONERS' ACCOUNTS.

JANUARY, 1829.

Bowen, Nathan, Coroner, for fees of Inquisition, to January 1, 1829.	12 40
Cottle, James, Coroner, for fees of Inquisition to December 29, 1828,	12 40
Crocker, David, for returning votes to January 1, 1829,	23 10
Folger, Peleg, Coroner, for fees of Inquisition to January 1, 1829,	37 20
Foot, Enoch, Coroner, for fees of Inquisition to January 1, 1829,	7 40
Gardner, Israel, Coroner, for fees of Inquisition to December 6, 1828,	12 40
Gardner, Uriah, for returning votes to January 1, 1829,	10 80
Hoyt, Epaphras, for returning votes to January 1, 1829,	25 00
Leonard, Horatio, for returning votes to January 1, 1829,	13 20

Lyman, Joseph, for returning votes to January 1, 1829,	38 00
Metcalf, Elish W. Coroner, for fees of Inquisition to November 1, 1828,	22 20
Pease, Peter, Jr. Coroner, for fees of Inquisition to November 28, 1828,	11 40
Page, Edmund, Coroner, for fees of Inquisition to January 1, 1829,	46 60
Pease, Josiah D. for returning votes to January 1, 1829,	25 00
Shears, Edwin, Coroner, for fees of Inquisition to December 25, 1828,	17 30
Sumner, C. P. for sundry services to January 1, 1829,	13 16
Wade, W. Foster, Coroner, for fees of Inquisition to January 2, 1829,	7 40
Whitman, Levi F. Coroner, for fees of Inquisition to January 12, 1829,	12 40
Willard, Calvin, for returning votes to January 1, 1829,	13 86
Young, Asa, Coroner, for fees of Inquisition to December 25, 1828,	21 80

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MILITARY ACCOUNTS.

JANUARY, 1829.

*Hauling Artillery.*

Joseph B. Toule,	10 80
Thomas M. Field,	11 00
George W. Saunders,	20 00
Charles Hearsey,	30 00
Paul Hildreth,	10 50
Jeremiah P. Fowler,	13 00
Henry Haskell,	5 00
William Haskell,	10 00
Timothy Brown,	10 00
Enoch Pierce,	22 50
Reuben Frye,	32 00

# MILITARY ACCOUNTS.

151

Simeon Southwick,	30 00
Martin Wilder,	12 00
Phillip Russell,	17 85
John Boynton,	25 00
Simeon Jeffs,	12 00
George Gardner,	13 00
George Washburn,	15 00
Frederick Fowler, Jr.	11 25
David P. King,	9 50
George Shepherd,	11 50
Harvey Torrey,	15 00
Elias W. Pratt,	30 50
Nathaniel Shaw,	20 50
Simeon Blandin,	27 50
David Sylvester,	40 75
Alpheus White,	20 00
Seneca Colbourn,	10 00
George Turner,	6 50
	<hr/> 511 65

## *Aids de Camp.*

Seth B. Thayer, to December 31, 1828,	28 47
Nathan Brown, " " "	25 00
Samuel Etheridge, " " "	50 00
Edward Dickinson, " " "	25 00
Aaron Brooks, Jun. " " "	25 00
William A. F. Sproat, " " "	20 83
	<hr/> 174 30

## *Brigade Majors.*

Seth F. Thayer, to July 14, 1828,	21 55
Frederick W. Lincoln, to Dec. 31, 1828,	40 00
George W. Adams, to Dec. 31, 1828,	20 00
Jabez W. Barton, to Dec. 31, 1828,	40 00
Alanson Clark, to Dec. 31, 1828,	40 00
Sylvanus Hatch, Jun. to Dec. 31, 1828,	40 00
Otis Adams, to Dec. 31, 1828,	40 00
William A. F. Sproat, to March 1, 1828,	6 66
George B. Atwood, to Dec. 31, 1828,	31 89
	<hr/> 280 10

*Adjutants.*

Jonathan Weld, Jr. to Sept. 12, 1827,	17 50
Stephen Hall, to Dec. 31, 1828,	15 00
Josiah N. Bird, to Dec. 31, 1828,	48 46
Stephen Westcott, to Dec. 31, 1828,	48 54
Stephen Sandford, to Dec. 31, 1828,	25 00
Sumner Crosby, to Dec. 31, 1828,	25 00
Daniel W. Rogers, to Dec. 31, 1828,	25 00
Andrew Mansfield, Jr. to Dec. 31, 1828,	25 00
Oliver Whipple, to Dec. 31, 1828,	19 00
Joseph P. Turner, to Dec. 31, 1828,	13 00
Stephen Adams, Jr. to Dec. 31, 1828,	25 00
Nathaniel J. Lord, to Dec. 31, 1828,	25 00
Reuben Evans, to Dec. 31, 1828,	25 00
John Davis, to Dec. 31, 1828,	25 00
Joseph Hooper, Jr. to Dec. 31, 1828,	12 07
William Flanders, to Dec. 31, 1828,	15 00
Joseph Meriam, Jr. to Dec. 31, 1828,	16 66
Josiah Clark, to Dec. 31, 1828,	25 00
Francis Conant, to Dec. 31, 1828,	25 00
Charles Howard, to Dec. 31, 1828,	25 00
Samuel Reynolds, to Dec. 31, 1828,	25 00
James B. Porter, to Dec. 31, 1828,	25 00
John K. Henry, to May 30, 1828,	10 42
Jukus Ward, to Dec. 31, 1828,	25 00
George B. Woods, to Dec. 31, 1828,	25 00
Wm. W. Partridge, to March 1, 1827,	4 17
Elihu C. Hunt, to Dec. 31, 1828,	45 83
John I. Graves, to Dec. 31, 1828,	25 00
Horatio N. Ward, to Dec. 31, 1828,	25 00
Lucius Graham, to Dec. 31, 1828,	25 00
Joseph Tyler, to Dec. 31, 1828,	25 00
William Brown, to Dec. 31, 1828,	25 00
Ezra W. Sampson, to Dec. 31, 1828,	25 00
Enoch Train, to Dec. 31, 1828,	25 00
William Tidd, to Dec. 31, 1828,	25 00
Spencer Gloyd, to Dec. 31, 1828,	25 00
Arad Thompson, to Dec. 31, 1828,	25 00
Thomas E. Gage, to Dec. 31, 1828,	25 00
Peter Seabury, to Dec. 31, 1828,	11 53

William Lee, to June 1, 1828,	30 00
Theodore Keen, to Dec. 31, 1828,	25 00
Dan Hill, to Dec. 31, 1828,	25 00
Israel Putnam, Jr. to Dec. 31, 1828,	31 60
Ebenezer Frost, to April 4, 1828,	6 50
Carter Gates, to Dec. 31, 1828,	25 00
Edmund H. Nichols, to Dec. 31, 1828,	24 29
Edmund Bush, to Dec. 31, 1828,	25 00
Charles B. Boynton, to Dec. 20, 1828,	15 00
Horatio Byington, to Dec. 31, 1828,	26 29
Socrates Squier, to Dec. 31, 1828,	50 00
Simeon W. Wright, to Dec. 31, 1828,	25 00
George W. Campbell, to Dec. 31, 1828,	25 25
George C. Richardson, to Dec. 31, 1828,	11 11
Thomas Parker, to July 7, 1828,	19 86
Horace Collamore, to Dec. 31, 1828,	25 00

---

\$ 1,293 08

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### AGGREGATE OF ROLL NO. 100.

JANUARY, 1829.

Expense of State Paupers,	\$ 33,265 67
“ “ Sheriffs and Coroners,	348 02
“ “ Printers and Miscellaneous,	1,654 43
“ “ Brigade Majors and Inspectors,	280 10
“ “ Adjutants,	1,293 08
“ “ Hauling Artillery,	511 65
“ “ Aids de Camp,	174 30

---

Total, \$ 37,527 25

*Resolved*, That there be allowed and paid, out of the public Treasury, to the several Corporations and persons mentioned in this Roll, the sums set against such Corporations and persons names respectively, amounting in the whole to thirty seven thousand, five hundred twenty seven dollars, twenty five cents, the same being in full discharge of the accounts and demands to which they refer.



*In Senate, February 5, 1829.*—Read twice and passed,  
Sent down for concurrence.

SH. LELAND, *President.*

*In House of Representatives, February 7, 1829.*—Read  
twice, and passed in concurrence.

W. B. CALHOUN, *Speaker.*

*February 7, 1829.*

Approved,

LEVI LINCOLN.

## ROLL, No. 100.

NO. 2, FOR JANUARY SESSION, 1829.

---

The COMMITTEE ON ACCOUNTS having examined the several accounts presented to them, Report,

That there is due to the several Corporations and Persons hereinafter mentioned, the sums set against their names respectively, which, when allowed and paid, will be in full discharge of said accounts, to the dates therein mentioned; which is respectfully submitted.

JOHN KEYES, *Chairman.*

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### PAUPER ACCOUNTS.

Alford, for the support of sundry Paupers, to January 1, 1829,	224 29'
Attleborough, for the support of Eleanor M. Montgomery, to January 1, 1828,	26 00
Boxford, for the support of Mehitable Hall, to January 1, 1829,	92 60
Boston, City of, for the support of sundry Pau- pers in the House of Correction, to December 31, 1828,	1234 22
Carver, for the support of Martin Grady, to Jan- uary 1, 1829,	46 80

Chelsea, for the support of Betsey Jones and John Buck, to January 7, 1829,	64 40
Dighton, for the support of Hannah Tew, to December 18, 1828,	47 43
Hatfield, for the support of Jesse Jewett, to January 1, 1829,	45 00
Harwich, for the support of James Robertson, to February 1, 1829,	45 14
Hardwick, for the support of Charles Collins and Elizabeth Walker, to January 4, 1829,	90 90
Hubbardston, for the support of Daniel Mundell, to January 24, 1829,	40 91
Littleton, for the support of Joseph Davenport and John Putnam, to February 15, 1829,	116 10
Lexington, for the support of Ann Varnum, to January 26, 1829,	15 04
Montague, for the support of Anna Sinclair, to February 10, 1829,	33 30
Marshfield, for the support of Samuel Holmes and John Baker, to December 23, 1828,	93 60
Malden for the support of sundry Paupers, to February 25, 1829,	174 40
Newton, for the support of sundry Paupers, to January 1, 1829,	183 89
Northfield, for the support of Joel M. Plum, to January 5, 1829,	46 80
Pittsfield for the support of sundry Paupers, to January 1, 1829,	183 80
Pawtucket, for the support of Jane Donaldson, and her daughter Ann, to February 5, 1829,	56 00
Russell, for the support of Sally Harrington, Mary Newton, Mary Stebbins and funeral cost of M. Stebbins, to December 30, 1828,	84 20
Scituate, for the support of Jeremiah Gundaway and Francis Robbins, to February 5, 1829,	8 00
Warwick, for the support of Samuel Gun, Molly Gun and their children, George and Charles Gun, to January 21, 1829,	5 60

**PRINTERS' AND MISCELLANEOUS ACCOUNTS.**

**JANUARY, 1829.**

Atwell, Herman, for printing laws to December 31, 1828,	16 67
Briggs, Peter, for services examining the pauper account of Washington, per resolve,	14 00
Bacon, Henry, for assisting messenger to the General Court to February 26, inclusive, 48 days,	96 00
Buckingham, Joseph T. for newspapers to February 24, 1829,	148 52
Congdon, B. F. for printing laws to January 1, 1829.	16 66
Chapin, Jacob, for printing laws to January 1, 1829,	16 67
Chase, Warren, for assisting messenger to the General Court to February 26, inclusive, 48 days,	96 00
Cutting, E. W. for assisting messenger to the General Court to February 26, inclusive, 46 days, and for his sons services as Page to the Senate same term, 46 days,	136 00
Kuhn, Jacob, Jr. for assisting messenger to the General Court to February 26, inclusive, 46 days,	92 00
Massachusetts Agricultural Society, under the Resolve of February 15, 1814, to February 23, 1829,	1600 00
Pitts, Sarah, for her sons service as Page to the House of Representatives to February 26, inclusive, 44 days,	44 00
Rawson, Alonzo, for printing laws to January 1, 1829,	16 67
Russell, John B. for newspapers to February 25, 1829,	70 72
Stearns, B. G. for copying bill on Banks &c. 1829,	3 50

True & Greene, for printing per contract, and for newspapers amounting to \$ 82 77,	696 40
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## CORONERS' ACCOUNTS.

Prince Snow, for fees of Inquisitions, to January 3, 1829,	203 60
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## MILITARY ACCOUNTS.

*Brigade Majors and Inspectors.*

Bradford L. Wales, to Dec. 31, 1828,	18 45
Joseph L. Low, to Dec. 31, 1828,	40 00
George N. Briggs, to Dec. 31, 1828,	64 88

*Adjutants.*

Francis Holden, to Dec. 31, 1828,	25 00
Francis D. Holbrook, to Dec. 31, 1828,	7 98
Calvin Fisher, Jr. to June 24, 1828,	7 25
Wm. Chamberlain, to Dec. 31, 1828,	15 00
Ebenezer Sutton, to Dec. 31, 1828,	25 00
Homer Tilton, to Dec. 31, 1828,	25 00
Guy C. Haynes, to Dec. 31, 1828,	25 00
Samuel Woodburn, Jr. to Dec. 31, 1828,	25 00
Daniel L. Callender, to June 9, 1828,	11 04
Leander Lovell, to Dec. 31, 1828,	25 00
Samuel N. Dyer, to Dec. 31, 1828,	15 00
Jonathan Wheaton, Jr. to Dec. 31, 1828,	25 00
Asa Wood, to Dec. 31, 1828,	25 00
William Blackinton, to Dec. 31, 1828,	25 00
Samuel Shiverick, to Dec. 31, 1828,	15 00
Holmes Amidown, to Dec. 31, 1828,	39 03
Phineas T. Bartlett, to Dec. 31, 1828,	12 50
Isaac Bartlett, to Dec. 31, 1828,	11 25
Willard Day, to Sep. 15, 1828,	17 71
Henry Newton, to July 14, 1828,	13 47

*Hauling Artillery.*

Jerre Otis Pond,	1828,	10 00
John G. Wood,	"	30 00
John Stacy,	"	20 00
Charles Trowbridge,	"	15 00
H. B. Bordwell,	"	21 80
Charles A. Callender,	"	21 50
David Bradford,	"	31 87
John Corbett, Jr.	"	20 00
Abraham Tobey, Jr.	"	6 50

*Aggregate of the additional Roll No. 100.*

JANUARY SESSION, 1829.

State Pauper Accounts,	\$ 2759 52
Printers' and Miscellaneous,	3063 81
Coroners,	203 60
Brigade Majors and Inspectors,	123 39
Adjutants,	390 23
Hauling Artillery,	176 67

Total, \$ 4917 46.

*Resolved*, That there be allowed and paid, out of the public Treasury, to the several persons and Corporations mentioned in this Roll, the sums set against their names respectively, amounting in the whole to the sum of six thousand, nine hundred and seventeen dollars, and sixteen cents, the same being in full discharge of all the accounts and demands to which they refer.

*In Senate, February 25, 1829.*—Read twice and passed, Sent down for concurrence.

JAMES FOWLER, *President pro tempore*.

*In House of Representatives, February 26, 1829.*—Read twice, and passed in concurrence.

W. B. CALHOUN, *Speaker*.

February 26, 1829,

Approved,

LEVI LINCOLN.

## **Commonwealth of Massachusetts.**

---

**SECRETARY'S OFFICE, APRIL 15, 1839.**

**I HEREBY CERTIFY**, that I have compared the impression of the Resolves contained in this pamphlet, with the original Resolves, as passed by the Legislature, at their Session commencing in January last, and find the same to be correctly printed.

**EDWARD D. BANGS,**

*Secretary of the Commonwealth.*

## INDEX

### TO THE RESOLVES OF THE SESSION IN JANUARY, FEBRUARY, AND MARCH, 1829.

---

#### A.

Academy, Wesleyan, in Wilbraham, grant of land to, modified, &c.	97
Accounts, Roll of, No. 100,	137
“ “ Supplementary to No. 100,	155
Agents for selling public lands, accounts of, adjusted,	133
Agricultural Society, Massachusetts, grant of land to, instead of former grant,	120
Allen, Benjamin, and another, allowance to, as former guardians of Christiantown Indians,	119
Allen, Samuel, Treasurer of County of Worcester, directed to remit certain sum to Abner Bird,	119
Asylum for Deaf and Dumb, at Hartford, certain pupils in, to be supported by Commonwealth,	103

#### B.

Berkshire, County of, Tax for 1828, confirmed,	108
Bird, Abner, sum due from, to Commonwealth, remitted,	119
Blind Persons, provisions for ascertaining number of,	132

#### C.

Canal, survey of route for, from Boston to Blackstone Canal, report concerning, transmitted,	107
--	-----



Canal, from Boston Harbour to Narragansett Bay, copy of Report respecting survey of, to be requested from U. S. government, - - - - -	127
“ from Boston Harbour to Narragansett Bay, Committee appointed to assist in surveying route of, paid for services, - - - - -	128
Chaplains of the Senate and House, compensation of, for their services, - - - - -	136
Chappequiddic and Christiantown Indians, Commissioners for dividing lands of, paid for services, - - - - -	106
Christiantown Indians, Meeting and School House to be built for use of, - - - - -	105
“ “ allowance to former guardians of, - - - - -	119
Clerk of Senate, compensation of, for preparing indexes to journals, - - - - -	135
Clerks of Senate and House, pay of, provided for, - - - - -	127
Committee on Accounts, their Roll No. 100, - - - - -	137
“ “ “ their supplementary Roll, - - - - -	155
Cottle John, and another, allowance to, as former guardians of Christiantown Indians, - - - - -	119
County taxes granted, - - - - -	109

**D.**

Deaf and Dumb, further provisions for support of, - - - - -	103
Dudley Indians, further provisions respecting guardians of, - - - - -	121

**E.**

Eastern Lands, grants of, to old Soldiers, further provisions concerning, - - - - -	113
“ “ small gores and slips of, undivided, to be sold, - - - - -	115
“ “ six townships to be sold by Agents, - - - - -	116
“ “ Agents for sale of, their accounts adjusted, - - - - -	133
Eaton, William, allowance to, for procuring conviction of a criminal, - - - - -	101

# INDEX.

iii

## F.

Fourth of July, former Resolves respecting Executive celebration of, repealed,	- - - - -	118
--	-----------	-----

## G.

Governor, authorized to appoint guardians to Dudley Indians,		121
" requested to apply to Secretary of War of U. S. for copies of Report, &c. respecting survey of a route for a Canal from Boston Harbour to Narragansett Bay,	- - - - -	127
" requested to cause repairs in building containing Statue of Washington,	- - - - -	132
Governor's Message, at opening of the Session,	- - - - -	71
" " transmitting Copies of Certificates made by Commissioners for examining specie in Banks,	- - - - -	92
" " informing of the resignation of Major General Nathaniel Austin, of 3d division of Militia,	- - - - -	93
" " transmitting information respecting proceedings of Commissioners on William Simpson's claim,	- - - - -	95
" " transmitting documents received from Governor of Georgia;	- - - - -	96
" " transmitting additional documents from Georgia,	- - - - -	101
" " transmitting Report of Commissioners of Internal Improvement,	- - - - -	107
" " transmitting Report of Commissioners on William Simpson's claim,	- - - - -	111

## H.

Harris, Azor, guardian, authorized to sell estate of Anna Richards, an Indian,	- - - - -	94
--	-----------	----

Harris Thomas, late Warden of State Prison, his accounts to be audited by Governor and Council,	- - -	124
Howe, Joseph N. and others, Commonwealth's right in certain land released to,	- - - - -	111

## I

Independence, former Resolves respecting Executive Celebration of, repealed,	- - - - -	113
Indexes to journals of the Senate, Paul Willard Esq. paid for preparing,	- - - - -	135
Indians at Christiantown, Meeting and School House to be built for use of,	- - - - -	105
“ “ “ Commissioners for dividing lands of, paid for services,	- - - - -	106
“ “ “ allowance to former guardians of,	- - - - -	119
“ at Dudley, further provisions respecting guardians of,	- - - - -	121
Internal Improvements, Report of Directors concerning, to be printed,	- - - - -	92
“ “ Report of Directors concerning, how distributed,	- - - - -	99
“ “ Report of Commissioners concerning, transmitted,	- - - - -	107
“ “ Commissioners of, to survey route for Rail Road from Plymouth to Wareham,	- - - - -	123
“ “ Copy of Report concerning, as respects Canal from Boston Harbour to Narragansett Bay, to be procured,	- - - - -	127

## K.

Kuhn, Jacob, paid for services in arranging files of the Senate,	- - - - -	135
--	-----------	-----

## L.

Lands in Maine, grants of, to old Soldiers, further provisions concerning,	- - - - -	113
“ “ small gores and slips of, undivided, to be sold,	- - - - -	115

# INDEX.

v

Lands in Maine, six townships, to be sold by Agents,	-	116
" " Agents for sale of, their accounts adjusted,		133
Lombard, Daniel, Administrator, authorized to convey pews in first Parish Meeting House in Springfield,	-	94
Low, John V. assistant Messenger to Governor and Council, paid for services,	- - - - -	133

## M.

Massachusetts Agricultural Society, grant of land to, instead of former grant,	- - - - -	120
Message of Governor, at opening of the Session,	- -	71
" " transmitting Copies of Certificates made by Commissioners for examining specie in Banks,	- - - - -	92
" " informing of the resignation of Maj. Gen. Nath'l. Austin, of 3d Division of Militia,		93
" " transmitting information respecting proceedings of Commissioners on Wm. Simpson's claim,		95
" " " Documents received from Governor of Georgia,	-	96
" " " additional Documents from Georgia,	- - -	101
" " " Report of Commissioners of Internal Improvement,		107
" " " Report of Commissioners on William Simpson's claim,		111
Morrill James, and others, allowance to, for use of piece of land by the State,	- - - - -	102

## N.

Nichols, Esther, and others, land belonging to, in Leominster, boundary line of, to be established, &c.	- -	134
---	-----	-----

Nutting, Phineas S. allowance to, on account of a wound when on military duty, - - - - -	104
---	-----

**P.**

Perkins, Thomas H. and others, Executors, authorized to convey certain real estate in Dorchester, - -	96
Perry, William, authorized to convey land of certain minors, in order to quiet their title, &c. - - - -	134
Plymouth, rail road from, to Wareham, route of, to be surveyed, 123	
Popkin, J. S. guardian, authorized to sell estate of certain minor, 125	

**Q.**

Quarter Master General's Department, appropriation for, 126	
---	--

**R.**

Rail Road Report, to be printed for use of State, - -	92
" " " distribution of, directed, - - -	99
" " route of, to be surveyed, from Plymouth to Wareham, 123	
Records and Files, in Secretary's Office, directions concerning, 124	
Representatives' Chamber, payment for repairs in, provided for, 103	
Returns of Votes, information respecting, when not seasonably made, to be given to Legislature, - - -	134
Revolutionary Soldiers, further provisions respecting former grants of land to, - - - - -	113
Robbins, Vina, allowance to, - - - - -	100
Robinson, William, discharged as guardian of Dudley Indians, 121	

**S.**

Secretary of Commonwealth, directed, respecting public records, &c. - - -	124
" " directed to inform Legislature of the names of towns which make no returns of Votes, or make them unseasonably, - - - - -	134

Solicitor General, further directed, relating to action against the	
- Town of Tyringham, - - - - -	117
State Prison, appropriation for support of, - - - - -	118
" " late Warden of, to exhibit his accounts to Governor and Council, - - - - -	124
Statue of Washington; provisions for repair of building in which	
- it is erected, - - - - -	132
Stearns, Nathaniel, and another, guardians, authorized to sell	
estate of certain minors, - - - - -	117

T.

Taber, James, Esq. late Representative, funeral expenses, &c.	
of, paid, - - - - -	110
Tax of Berkshire County, for 1828, assessment of, confirmed,	108
Taxes granted for the several Counties, - - - - -	109
Thayer, Minot, and others, paid for services as Committee to	
attend survey of route for a Canal from Boston Har-	
bour to Narragansett Bay, - - - - -	128
Treasurer of Commonwealth, authorized to borrow money,	93
Tyringham, action against town of, further directions concerning	117

V.

Votes, Returns of, directions respecting, when not seasonably	
made, - - - - -	134

W.

Wade, Thankful, Administratrix, authorized to convey certain	
real estate, - - - - -	98
" " " further authorized to convey	
real estate, - - - - -	129
Wareham, rail road to, from Plymouth, route of, to be surveyed,	123
Washington, Statue of; building in which it is erected, to be re-	
paired, - - - - -	132

Wesleyan Academy, in Wilbraham, further provisions respecting former grant of land to, - - - -	97
Wheeler, J. H. and others, payment to, for repairs in Repre- sentatives' Chamber, - - - -	103
Wheelock, Martin, pension of, renewed, - - - -	121
Whitney, Moses, Administrator, allowed to perpetuate evidence of notice for sale of real estate, - - - -	122
Willard, Paul, Clerk of Senate, compensation of, for preparing indexes to journals, - - - -	135

**RESOLVES**  
OF  
**THE GENERAL COURT**  
OF THE  
**Commonwealth of Massachusetts,**  
**PASSED AT THEIR SESSION,**  
**WHICH COMMENCED ON WEDNESDAY, THE TWENTY-SEVENTH OF MAY, AND ENDED**  
**ON FRIDAY, THE TWELFTH OF JUNE, ONE THOUSAND EIGHT HUNDRED**  
**AND TWENTY-NINE.**

—  
*Published agreeably to a Resolve of the 16th January, 1812.*  
—



**Boston:**  
**DUTTON AND WENTWORTH, PRINTERS TO THE STATE.**

.....  
**1829.**



The Wife of Dr. J. S. Briggs. Sep. 4. 1864.  
Recd. Dec. 24. 1864.

**CIVIL GOVERNMENT**  
OF THE  
**Commonwealth of Massachusetts,**  
FOR THE POLITICAL YEAR 1829.....30.

---

HIS EXCELLENCY  
**LEVI LINCOLN, ESQUIRE,**  
GOVERNOR.

---

HIS HONOR  
**THOMAS L. WINTHROP, ESQ.**  
LIEUTENANT GOVERNOR.

---

COUNCIL.  
HON. AARON HOBART,  
“ JOHN MASON,  
“ BEZALEEL TAFT, JUN.  
“ SAMUEL C. ALLEN,  
“ GEORGE HULL,  
“ JAMES SAVAGE,  
“ JOSEPH E. SPRAGUE,  
“ NATHAN BROOKS,  
“ HENRY A. S. DEARBORN.

---

**EDWARD D. BANGS, ESQUIRE,**  
*Secretary of the Commonwealth.*

**JOSEPH SEWALL, ESQUIRE,**  
*Treasurer and Receiver General of the Commonwealth.*

## **SENATE.**

---

**HON. SAMUEL LATHROP,**

PRESIDENT.

---

### **SUFFOLK DISTRICT.**

Hon. John Pickering,	Hon. Charles Wells,
Jacob Hall,	Pliny Cutler,
Nathan Hale,	Daniel Baxter.

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James Lewis,	Thomas I. Goodwin.
Charles Train,	

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Hon. Seth Sprague, Jr.	Hon. Charles I. Holmes.
------------------------	-------------------------

### **NORFOLK DISTRICT.**

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Thomas French.	

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Howard Lothrop,

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Lovell Walker,               William S. Hastings.  
David Wilder.

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Hon. James Fowler,         Hon. Samuel Lathrop.

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Hon. Elihu Hoyt,            Hon. Sylvester Maxwell.

BERKSHIRE DISTRICT.

Hon. Samuel M. McKay,      Hon. Robert F. Barnard.

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Hon. Elisha Pope.

NANTUCKET DISTRICT.

Hon. Barker Burnell.



PAUL WILLARD, Esq. *Clerk.*

W. P. GRAGG, Esq. *Assistant Clerk.*

REV. R. W. EMERSON, *Chaplain.*

WILLIAM H. CUTTING, *Page.*

# HOUSE OF REPRESENTATIVES.

---

HON. WILLIAM B. CALHOUN.

SPEAKER.

---

## COUNTY OF SUFFOLK.

*Boston,*

Cyrus Alger,  
Andrew J. Allen,  
Samuel Appleton,  
Samuel Aspinwall,  
Samuel Austin, Jr.  
Benjamin Bangs,  
Levi Bartlett,  
Daniel Baxter, Jr.  
Adam Bent,  
John P. Bigelow,  
George Blake,  
William W. Blake,  
James Bowdoin,  
David L. Child,  
David W. Child,  
Daniel Denny, Jr.  
Joseph H. Dorr,  
Ezra Dyer,  
Joseph Eveleth,  
Otis Everett,  
Henry Farnam,  
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John P. Rice,  
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Robert G. Shaw,  
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Israel Thorndike, Jr.  
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John D. Williams,  
Nathaniel L. Williams,  
Simon Wilkinson,  
Edmund Wright, Jr.  
Joseph Stowers.

*Chelsea,*

## HOUSE OF REPRESENTATIVES.

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<i>Beverly,</i>	Henry Larcom, Josiah Lovett, 2d Robert Rantoul, Amos Sheldon,
<i>Boxford,</i>	
<i>Bradford,</i>	Eliphalet Kimball George Savory,
<i>Danvers,</i>	Elias Putnam, Jonathan Shove, Jonathan Story, 3d
<i>Essex,</i>	Elias Davison, Samuel Lane,
<i>Gloucester,</i>	
<i>Hamilton,</i>	Azor Brown, William Bachelor,
<i>Haverhill,</i>	John Brickett, Jr. Thomas Harding,
<i>Ipswich,</i>	Ebenezer Cogswell, Joseph Dennis, Stephen Pearson, Jr.
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<i>Lynnfield,</i>	John Cheever, 2d.
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<i>Methuen,</i>	Pelatiah Wilkins,
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<i>Salisbury,</i>	Abijah Cheever,
<i>Saugus,</i>	Jacob Towne, Jr.
<i>Topsfield,</i>	Paul Porter,
<i>Wenham,</i>	Eliphalet Emery.
<i>West Newbury,</i>	

## COUNTY OF MIDDLESEX.

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<i>Ashby,</i>	Ezekiel L. Bascom,
<i>Bedford,</i>	William Webber,
<i>Billerica,</i>	Marshal Preston,



## HOUSE OF REPRESENTATIVES.

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William Parmenter,  
Ralph Smith,  
John Trowbridge,  
William J. Whipple,

*Carlisle,  
Charlestown,*

Leavitt Corbet,  
John Harris,  
Oliver Holden,  
Josiah S. Hurd,  
Leonard M. Parker,  
Benjamin Whipple,  
Joel Adams,  
Reuben Brown, Jr.  
Samuel Burr,  
Coburn Blood, Jr.  
Life Hamblet,

*Chelmsford,  
Concord,*

*Dracut,*

*Dunstable,  
East Sudbury,  
Framingham,  
Groton,*

Micah M. Rutter,  
Luther Belknap,  
Luther Lawrence,  
William Livermore,

*Holliston,  
Hopkinton,*

Thomas Bucklin,  
Matthew Metcalf,  
Samuel Fisk,

*Lexington,  
Lincoln,  
Littleton,  
Lowell,*

John S. C. Knowlton,  
John P. Robinson,

## HOUSE OF REPRESENTATIVES.

<i>Malden,</i>	Ebenezer Nichols,
<i>Marlboro'</i>	Isaac Stiles,
<i>Medford,</i>	Eli Rice,
<i>Natick,</i>	Daniel Stevens,
<i>Newton,</i>	Turell Tufts,
<i>Pepperell,</i>	William Farriss,
<i>Reading,</i>	William Jackson,
<i>Sherburne,</i>	John Kenrick,
<i>Shirley,</i>	William Buttrick,
<i>South Reading,</i>	Arnold Hutchinson,
<i>Stoneham,</i>	Eliab Parker, Jr.
<i>Stow and Boxboro'</i>	Warren Perkins,
<i>Sudbury,</i>	Adolphus Whitcomb,
<i>Tewksbury,</i>	Thomas Emerson,
<i>Townsend,</i>	Darius Stevens,
<i>Tyngsborough,</i>	Lyman Biglow,
<i>Waltham,</i>	Abel Wheeler,
<i>Watertown,</i>	Josiah Brown,
<i>West Cambridge,</i>	Simon Thompson,
<i>Westford,</i>	Jonas Clark,
<i>Weston,</i>	Charles Bemis,
<i>Wilmington,</i>	John Clark,
<i>Woburn,</i>	Benjamin Locke,
	Abram Prescott,
	Jonas Cutter,
	Marshall Fowle,
	John Wade.

## COUNTY OF WORCESTER.

<i>Ashburnham,</i>	Joseph Jewett,
<i>Athol,</i>	Ebenezer Chaplin,

## HOUSE OF REPRESENTATIVES.

<i>Barre,</i>	Nathaniel Jones, Charles Sibley,
<i>Berlin,</i>	
<i>Bolton,</i>	Silas Holman,
<i>Boylston,</i>	Ward Cotton,
<i>Brookfield,</i>	Simeon Draper, Alanson Hamilton, Ebenezer Merriam, John Hill, Jr. Samuel D. Spurr, Nathaniel Williams, Amos Humes, John Brown, William Winsor, Oliver Fox, Isaiah Putnam, Smyrna Glazier, Harry Wood, Samuel Wood, Samuel Billings, Ebenezer Perry,
<i>Charlton,</i>	
<i>Dana,</i>	
<i>Douglas,</i>	
<i>Dudley,</i>	
<i>Fitchburg,</i>	
<i>Gardner,</i>	
<i>Grafton,</i>	
<i>Hardwick,</i>	
<i>Harvard,</i>	
<i>Holden,</i>	Silas Flagg,
<i>Hubbardston,</i>	Henry Prentiss,
<i>Lancaster,</i>	Solon Whiting,
<i>Leicester,</i>	John Hobart,
<i>Leominster,</i>	Wilder Carter, Joel Crosby, Daniel Putnam, Aaron Burdon, Warren Rawson, Daniel Thurber, John Claflin, Jr. Amos Hill,
<i>Lunenburg,</i>	
<i>Mendon,</i>	
<i>Milford,</i>	
<i>Millbury,</i>	

## HOUSE OF REPRESENTATIVES.

*Millbury,  
New Braintree,  
Northboro'  
Northbridge,  
North Brookfield,  
Oakham,  
Oxford,*

*Paxton,  
Petersham,*

*Phillipston,  
Princeton,  
Royalston,  
Rutland,  
Shrewsbury,  
Southborough,  
Southbridge,  
Spencer,*

*Sterling,*

*Sturbridge,  
Sutton,*

*Templeton,  
Upton,  
Uxbridge,*

*Ward,  
Westboro'  
West Boylston,  
Western,  
Westminster,*

*Aaron Pierce,  
Philip Delano,  
Jonas Bartlett,  
Adolphus Spring,  
William Adams,*

*Jonathan Davis,  
Richard Olney,  
Tyler Goddard,  
Joseph Gallond,  
Micajah Reed,  
Joseph Knowlton,  
Charles Russell,  
Rufus Bullock,  
Robert Munroe,*

*Jonas Ball,  
John Mc Kinstry,  
Rufus Adams,  
James Draper,  
Jacob Conant,  
Thomas Wright,  
Penuel Belknap,  
Jonas Sibley,  
Daniel Tourtellot,  
Leonard Stone,  
Ezra Wood,  
Daniel Carpenter,  
Joseph Thayer,  
Samuel Boyden,  
Charles Parkman,  
Joseph Hinds,  
Pardon Keyes,  
Charles Hudson,*

## HOUSE OF REPRESENTATIVES.

*Westminster,*  
*Winchendon,*  
*Worcester,*

Cyrus Winship,  
  
Charles Allen,  
Benjamin Chapin,  
William Eaton,  
Rejoice Newton,  
Frederick W. Paine.

## COUNTY OF HAMPSHIRE.

*Amherst,*

*Belchertown,*

*Chesterfield,*  
*Cummington,*  
*Easthampton,*  
*Enfield,*  
*Granby,*  
*Goshen,*  
*Greenwich,*  
*Hadley,*

*Hatfield,*  
*Middlefield,*  
*Northampton,*

*Norwich,*  
*Pelham,*  
*Plainfield,*  
*Prescott,*  
*Southampton,*

Elijah Boltwood,  
Daniel Dickinson,  
Samuel M. Worcester,  
Justus Forward,  
Jonathan Olds,  
Dyar Bancroft,  
William Swan,  
John Ludden,  
Joshua Crosby,  
William Belcher,  
Joshua Simmons,  
John Warner,  
Giles C. Kellog,  
Charles P. Phelps,  
Israel Billings,  
George W. Mc Elwain,  
John H. Ashmun,  
Chauncey Clark,  
Charles Hooker,  
William W. Thompson,  
Samuel Kirkland,  
Ziba Cook,  
John Mack,  
Samuel Henry,  
Elisha Edwards, Jr.

## HOUSE OF REPRESENTATIVES.

*South Hadley,  
Ware,*

*Westhampton,  
Williamsburg,  
Worthington,*

Daniel Warner,  
Aaron Gould,  
Samuel Phelps,  
Bela P. Clapp,  
Elisha Hubbard, Jr.  
Josiah Mills.

## COUNTY OF HAMPDEN.

*Blandford,  
Brimfield,*

*Chester,  
Granville,  
Longmeadow,  
Ludlow,  
Monson,  
Montgomery,  
Palmer,  
Russell,  
Southwick,*

*Springfield,*

*Tolland,  
Wales and Holland,  
West Springfield,*

Reuben Boies, Jr.  
Oliver Blair,  
John Wyles,  
Isaac Whipple,  
James Cooley,  
Seth Taylor,  
Alexander Mc Lean,  
Jonathan Torrey,  
Benjamin Phillips, Jr.  
John Sedgwick,  
Reuben Palmer,  
Joseph M. Forward,  
Gideon Stiles,  
William B. Calhoun,  
William H. Foster,  
Ithamar Goodman,  
Charles Howard,  
Jesse Pendleton,  
William Rice,  
Eleazer Williams,  
Launcelot Granger,  
John Wallis,  
Reuben Champion, Jr.  
Warren Chapin,  
Robert Ely,  
Spencer Flower,

## HOUSE OF REPRESENTATIVES.

*Westfield,*

Henry Douglas,

Jesse Farnum,

Eli B. Hamilton,

*Wilbraham,*

Luther Brewer,

Jacob B. Merrick.

## COUNTY OF FRANKLIN.

*Ashfield,*

Roswell Ranney,

Enos Smith,

*Barnardston,*

John Brooks,

*Buckland,*

John Porter,

*Charlemont,*

Obadiah Dickinson,

*Coleraine,*

Michael Mc Lallen,

Samuel Pierce,

*Conway,*

Joseph Avery,

Samuel Warren,

*Deerfield,*

Rufus Saxton,

Asa Stebbins,

*Gill,*

Joel Lyon,

*Greenfield,*

Ambrose Ames,

Luther Wells,

*Hawley,*

Moses Smith,

*Heath,*

Ephraim Hastings,

*Leverett,*

Eliphalet S. Darling,

*Leyden,*

Elisha Chapin,

*Montague,*

Jonathan Hartwell,

*Monroe,*

*New Salem,*

William Whitaker,

*Northfield,*

Ezekiel Webster, Jr.

*Orange,*

Parley Barton,

*Rowe,*

Samuel H. Roed,

*Shelburne,*

Theophilus Packard,

*Shutesbury,*

Nathaniel Macomber,

*Sunderland,*

Erastus Graves,

## HOUSE OF REPRESENTATIVES.

*Warwick,*  
*Wendell,*  
*Whately,*

Joseph Stevens,  
Jonathan Whitaker,  
Lemuel P. Bates.

## COUNTY OF BERKSHIRE.

*Adams,*

Richmond Brown,  
Thomas Farnum,  
Edward Richmond,  
George C. Tickner,  
Benjamin C. Perkins,  
James Brown,

*Alford,*

*Becket,*

*Cheshire,*

*Clarksburg,*

*Dalton,*

*Egremont,*

*Florida,*

*Great Barrington,*

*Hancock,*

*Hinsdale,*

*Lanesborough,*

*Lee,*

Grenville D. Weston,  
Wilbur Curtis,

Charles W. Hopkins,  
Caleb Eldridge,  
Ichabod Emmons,  
Henry Shaw,  
Riley Loomis,  
William Porter, Jr.  
Oliver Peck,

*Lenox,*

*Mount Washington,*

*New Ashford,*

*New Marlboro'*

Benjamin Sheldon,  
Warren Wheeler,  
Timothy Jones,  
David Tuttle,

*Otis,*

*Peru,*

*Pittsfield,*

*Richmond,*

*Sandisfield,*

Erastus Rowley,  
Samuel Merrill,  
Thomas Twining,  
Edward Babbit,  
Edward F. Ensign,

*Savoy,*

*Sheffield,*



## HOUSE OF REPRESENTATIVES.

*Sheffield,*  
*Stockbridge,*

*Tyringham,*  
*Washington,*  
*West Stockbridge,*  
*Williamstown,*

*Windsor,*

Parker L. Hall,  
Richard P. Morgan,  
Theodore Sedgwick,  
Eli Hale,  
Stephen W. Newton,  
Martin Hendrix,  
Keyes Danforth,  
Samuel Smith,  
Jephthah Whitman.

## COUNTY OF NORFOLK.

*Bellingham,*  
*Braintree,*  
*Brookline,*  
*Canton,*

*Cohasset,*  
*Dedham,*

*Dorchester,*  
*Foxborough,*  
*Franklin,*  
*Medfield and Dover,*  
*Medway,*  
*Milton,*

*Needham,*  
*Quincy,*  
*Randolph,*

*Roxbury,*

Joseph Rockwood,  
Joseph Richards,  
Joshua C. Clark,  
Samuel Capen,  
Thomas Tolman,  
Henry J. Turner,  
Richard Ellis,  
Horace Mann,  
Samuel P. Loud,  
Seth Boyden,  
Caleb Thurston,  
  
Warren Lovering,  
John Ruggles,  
John Swift,  
Charles Rice,  
John Souther,  
Seth Mann,  
John Porter,  
Isaac Davis,  
Samuel Guild,  
Elijah Lewis,  
Adam Smith,  
Benjamin P. Williams,

## HOUSE OF REPRESENTATIVES.

*Sharon,  
Stoughton,*

*Walpole,  
Weymouth,  
Wrentham,*

Abner Drake,  
Richard Talbot,  
Joseph Hawes,  
Ebenezer Humphreys,  
Allen Tillinghast.

## COUNTY OF BRISTOL.

*Attleborough,  
Berkley,  
Dartmouth,*

*Dighton,*

*Easton,  
Fairhaven,*

*Freetown,*

*Mansfield,  
New-Bedford,*

*Norton,*

*Pawtucket,  
Raynham,  
Rehoboth,*

Elkanah Briggs,  
Samuel French, Jr.  
Bradford Howland,  
Nathaniel Howland,  
Jesse W. Nichols,  
Elihu Slocum,  
Seth Talbot,  
Nehemiah Walker,  
Elijah Howard, Jr.  
Rowland Gibbs,  
Gideon Nye,  
Joseph Tripp,  
Thomas Bump,  
John T. Lawton,  
Hezekiah Skinner,  
James Arnold,  
Russel Freeman,  
Thomas A. Greene,  
Eli Haskell,  
Charles W. Morgan,  
William C. Nye,  
Lemuel Perry,  
Jacob Shepard,  
James C. Starkweather,  
Amos Hall,  
Samuel Bullock,

## HOUSE OF REPRESENTATIVES.

<i>Rehoboth,</i>	Caleb Cushing,
<i>Seekonk,</i>	Joseph Nichols,
<i>Somerset,</i>	Weston Carpenter,
<i>Swansey,</i>	Gideon Chase,
	Luther Baker,
<i>Taunton,</i>	Benajah Mason,
	Francis Baylies,
	Jacob Chapin,
	Nathaniel Fales,
	Abiathar Leonard,
	Ichabod Lincoln,
	James Woodward,
<i>Troy,</i>	Enoch French,
	Anthony Mason,
	Joseph E. Read,
<i>Westport,</i>	Nathan C. Brownell,
	Abner B. Gifford,
	Daniel Wing.

## COUNTY OF PLYMOUTH.

<i>Abington,</i>	James Bates,
<i>Bridgewater,</i>	Solomon Alden, Jr,
	Nathan Lazell, Jr.
<i>Carver,</i>	Benjamin Ellis,
<i>Duxbury,</i>	George P. Richardson,
	Gershom B. Weston,
<i>East Bridgewater,</i>	Ezra Kingman, Jr.
<i>Halifax,</i>	Zadock Thompson,
<i>Hanover,</i>	William Morse,
<i>Hanson,</i>	
<i>Hingham,</i>	Solomon Lincoln, Jr. .
<i>Hull,</i>	
<i>Kingston,</i>	Zephaniah Willis,
<i>Marshfield,</i>	Asa Hewit,

## HOUSE OF REPRESENTATIVES.

*Marshfield,*  
*Middleboro',*

Edward P. Little,  
John Benson,  
Seth Eaton,  
Zachariah Eddy,  
William Nelson,  
Oliver Pierce,  
Ephraim Ward,  
Ephraim Cole,  
Abel Kingman,  
Kilborn Whitman,

*North Bridgewater,*

*Pembroke,*  
*Plymouth,*  
*Plympton,*  
*Rochester,*

Jonathan Parker,  
Wilson Barstow,  
Ebenezer Holmes,  
George King,  
Joseph Meigs,  
Samuel Tolman, Jr.  
John B. Turner,  
Ichabod Leonard,  
Samuel Dunbar.

*Scituate,*

*Wareham,*  
*West Bridgewater,*

## COUNTY OF BARNSTABLE.

*Barnstable,*

David Hinckley,  
Jabez Howland,  
William Lewis,  
Charles Marston,  
Elijah Cobb,  
Joseph Atwood,  
Joseph Young,

*Brewster,*  
*Chatham,*

*Dennis,*  
*Eastham,*  
*Falmouth,*

Jesse Collins,  
Thomas Fish,  
Elijah Swift,  
Isaiah Chase,

*Harwich,*

## HOUSE OF REPRESENTATIVES.

<i>Harwich,</i>	James Long,
<i>Orleans,</i>	Daniel Comings,
	John Doane,
<i>Provincetown,</i>	Isaac Small,
<i>Sandwich,</i>	Benjamin Burgess,
<i>Truro,</i>	James Small,
<i>Wellfleet,</i>	Benjamin R. Witherell,
<i>Yarmouth,</i>	James Crowell,
	John B. Doane.

## DUKES COUNTY.

<i>Chilmark,</i>	Charles Butler,
<i>Edgartown,</i>	John P. Norton.
<i>Tisbury,</i>	

## COUNTY OF NANTUCKET.

<i>Nantucket,</i>	Hezekiah Barnard,
	Jared Coffin,
	George W. Gardner,
	James Mitchell,
	Seth Pinkham,

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PELHAM W. WARREN, ESQ. *Clerk.*

---

JACOB KUHN, *Messenger to the General Court.*

ELIJAH W. CUTTING, } *Assistant Messengers.*  
JACOB KUHN, JR. }

CHARLES PUTTS, *Page to the House.*

**RESOLVES**  
OF  
**THE GENERAL COURT**  
OF THE  
**COMMONWEALTH OF MASSACHUSETTS,**  
**PASSED AT THEIR SESSION,**

WHICH COMMENCED ON WEDNESDAY, THE TWENTY SEVENTH OF MAY, AND ENDED  
ON FRIDAY, THE TWELFTH OF JUNE, ONE THOUSAND EIGHT  
HUNDRED AND TWENTY-NINE.

—  
**GOVERNOR'S SPEECH.**  
—

REPRESENTATIVES' CHAMBER, MAY 30, 1829.

*At 12 o'clock, noon, agreeably to assignment, the two Houses assembled in Convention, when His Excellency the Governor came in, preceded by the Sheriff of Suffolk, and attended by His Honor the Lieutenant Governor, the Honorable Council, and the Secretary, Treasurer, and Adjutant General, and delivered the following*

**SPEECH :**

*Gentlemen of the Senate, and*

*Gentlemen of the House of Representatives :*

It was the Declaration of the Framers of our Republican form of Government, that the " Legislature ought frequently to assemble for the redress of grievances, for correcting, strengthening, and confirming the Laws, and

for making new Laws as the common good may require." The performance of these duties requires enlarged and comprehensive views of the great interests of the Commonwealth, and is the highest service which can be rendered by public agents. Whatever may improve the condition of the people is within the scope of Legislative action. The responsibility of preserving our civil institutions, of extending the means of knowledge, advancing the interests of learning, promoting general improvements of country, cherishing Agriculture and the Arts, encouraging domestic trade and an amicable and advantageous intercourse between the citizens of our own and our sister States, rests, in no inconsiderable degree, with those, who come here, more especially to deliberate on subjects of local policy, but whose sentiments and measures must often reach, in their influence, beyond the limits of State jurisdiction, and greatly affect the peace, prosperity and happiness of the United Nation.

The Constitution, having appointed the period for the annual organization of the Legislative and Executive Departments of the Government, we are now convened, pursuant to its positive injunctions. I personally meet you, Gentlemen, on this occasion, as the immediate Representatives of those, to whom I am under renewed obligations, for distinguished marks of honor and confidence, to express, through you, to my Fellow Citizens, that becoming sense of gratitude with which I am impressed for their continued support and favor, to give, here, solemn pledges of earnest and faithful endeavours in the discharge of office, to proffer to you, as fellow servants of the public, assurances of co-operation in labors for the common welfare, and to unite with you in humble acknowledgments of dependence upon the bless-

sing of Almighty God for the success of our joint endeavours, and in supplication for His guidance and mercy in the fulfilment of the duties which are assigned to us, in our respective stations.

The general sentiments entertained by me of the measures of public policy proper to be pursued, and my estimation of the character which the Executive administration of the Government should sustain, for laborious application to the public service, for impartiality and independence of party influence, for a zealous prosecution of the rights and interests of the State, for the cultivation of a spirit of harmony with the National Government, and of patriotic regard to the indissoluble bond of the Federal Union, those frequent and appropriate topics of address on like occasions with the present, I cannot have need again to repeat. Nor, regarding the invariable usage of the Legislature to seek a more convenient season for the deliberate investigation and adoption of measures, which only the ordinary circumstances of the Commonwealth may require, will I, at this period, detain you by allusion to subjects which probably, if proposed, would be referred, without prejudice to the public interest, to an adjourned session. I beg leave to be understood, in respectful anticipation of your approval, as intentionally postponing to that opportunity whatever is omitted, which should now, otherwise, be offered by me to your consideration. The charge upon the Treasury, in its present condition, from the unusually large delegation to the House, added to the personal inconvenience of members from any unexpected detention from their private affairs, at this season of the year, furnish strong reasons for declining to enter upon matters, which are not immediately urgent, or may not be promptly matured and definitely acted upon. But



few subjects, therefore, and those of most pressing interest, will be presented to your attention, and on these I shall speak in terms of plainness and directness, and with as much brevity, as the occasion may justify.

The last Legislature, by the adoption of sundry Resolutions, submitted to the decision of the people, through their returns to the present General Court, the disposition which should be made of important propositions for public improvements, by RAIL ROADS, through the Commonwealth. You now bring with you, Gentlemen, the expression of their opinions, so far as they have been obtained, on this subject. If favourable to the encouragement of the contemplated enterprizes, or either of them, an early decision upon the manner of their accomplishment will hasten their anticipated benefits, by a season. I, therefore, now earnestly invite you to the discussion, and to a knowledge and comparison of the sentiments of each other, and a mutual communication of those of your respective Constituents. That the great work of a RAIL ROAD from Boston to the Hudson River, facilitating communication between the Commercial Capital of this State and the leading highway and thoroughfare from the immense regions of the North and West to the Commercial Capital of the Union, is an event to be realized in the progress of time, no one who has the slightest acquaintance with the geography of the country, and the advance of population, with the increased and multiplied occasions of business consequent upon it, can reasonably doubt. If we are yet unprepared for the undertaking, a generation not remote will assuredly effect it. But we may at least accelerate the work by an examination of the objections which discourage its commencement. Inquiry and investigation will remove obstacles, which prejudice, from the novelty of this species

of improvement, has hitherto opposed, and give that confidence to its success, which will, ultimately, either impel by a sense of public duty, or influence by motives of private interest, to its execution.

The first question to be resolved is, do the proposed RAIL ROADS offer the best practicable improvement to the means of inter-communication ; and another enquiry of not less complexity and difficulty, in what manner and through what agency are they to be constructed ?

The information, which has recently been diffused through the community, of the facility afforded to heavy transportation, and the ease and rapidity given to travel, by RAIL ROADS, has added the convictions of experience to a knowledge of the laws of matter and of mechanical power in their favor. If there be any thing which is rendered certain by the testimony of personal observation, and by a series of experiments producing uniform results, it is the fact of the immense saving of labour and expense, by the adoption of this mode of conveyance. RAIL ROADS have become of familiar use in England, and their introduction into this country, so far as there has been opportunity for trial, has satisfied the most sanguine expectations of their utility, here. It is a point now universally conceded, that wherever the business of any section of country embraces an extensive internal trade, requiring the constant transportation, at all seasons of the year, of merchandize and passengers, a RAIL ROAD may be safely and advantageously determined on. The decision is wisely made to depend upon a comparison of the probable extent of accommodation, with the estimated cost of construction. On this head, in reference to the projects now before the Legislature, the best information which can be had, upon a preliminary examination, has been already ob-

tained. The facts which admit of precise ascertainment, in distances, inequalities of surface, preferences of location, materials, and expense of assumed amounts of labour, are distinctly and confidently stated by different Boards of Commissioners, and by skillful Engineers, who have presented their Reports to the Government, and who are officially responsible for the accuracy of these details. Whatever is beyond this, must, at any time hereafter, as at the present, rest in the confidence of personal opinion. In works of magnitude, no greater assurance of success can ordinarily be had in advance, than a reasonable probability. The Legislator, who waits for more, will be in danger of passing his life in fruitless indecision, and to the end of it, may see his country without progress in improvement. Besides, in public enterprizes, the profitable investment of capital is not the only motive to action. Indirect, consequential, and widely diffused benefits, are oftentimes more weighty considerations: and of this character, it is readily conceded, must be, in a great degree, the inducements and arguments which should prevail with the Government to the encouragement of the proposed undertakings. If there is any thing sound in the maxims of political economy, if the councils of the wise and the conduct of the prudent can avail any thing, they teach the importance of facilitating intercourse; reducing the cost of transportation, saving manual labour, opening new avenues to trade, and new markets to produce.—Profitless indeed; useless, and worse than useless, were otherwise the researches and labours and hitherto favoured influences of those mighty spirits, who have led and are now directing governments and individuals to the accomplishment of enterprizes *elsewhere*, compared with which all that is proposed *here*, is truly

but inconsiderable. Is it credible, that there is nothing of public advantage in works to which several of the most enlightened States of the Union are now applying the utmost of their resources? Are the already constructed Canals of New-York of no account, in the unprecedented growth and prosperity of that powerful Commonwealth? Is Pennsylvania wasting on idle and valueless objects the *millions* appropriated to her projects of internal improvement? Will Ohio justly suffer the reproach of rash adventure in her gigantic schemes for direct communication through the farthest West? Or shall Maryland, encouraged and sustained by the Councils of the Nation, in the amazing attempts to span the lofty Alleghany, both by Canal and Railway, in the achievements of persevering industry, afford no countenance to the purpose of our limited endeavour? These and numerous other examples in our sister States, may inspire us with confidence in the character of works, in which, after every precaution of previous inquiry and examination, with an assured and provident forecast of advantages, they have so deeply and so nobly engaged.

But the question recurs, by whom shall the proposed Rail Roads in Massachusetts be accomplished? The Commissioners have recommended, that it be done at the charge and on account of the State, and to this Legislature was referred, by your predecessors, the responsibility of adopting or rejecting the proposition, of assuming or aiding in the task, or refusing the sanction of the Government to it altogether.

It has been objected, that the *Western* Rail Road is but a matter of *local* interest, to benefit, in an especial manner, the citizens of Boston and the inhabitants of a narrow district of country upon the route of its location. The like objection might be applied, with equal pertin-

ency, to any general improvement. Those who are proximate to a public accommodation, be it of what description it may, from the Capitol of the Government, the Temple of Worship, or the Hall of Justice, to the School House of a District, must enjoy its advantages, more directly and in a greater degree, than those who are remote. Yet this argument, necessarily resulting from the nature of things, can never be permitted to prevail with liberal and enlightened minds. If there be a place in the Commonwealth so situate, that it will feel no direct beneficial influence from the occupation of this new Highway, neither is there a place which will be prejudiced, *in its essential interests*, by its construction. To the City of Boston indeed, it is believed to be of vital concern. But the streams of business, which it will pour into the Metropolis, will be returned to the remotest parts of the Commonwealth, in the diffusion of the treasures which trade and commerce produce, or in a relief from the burdens *elsewhere*, to which accumulated wealth will *here* be subjected. If the City be disproportionately enriched, precisely in the ratio of this advance, will be her liabilities to the contributions of the State, and a corresponding reduction in the taxes of other portions of the Country. On the other hand, suffer the course of her prosperity to be arrested, her trade to decline, her population to remove, her capital to be transferred to other Cities, and where, but *upon the Country*, and upon whom but the *Yeomanry*, will the demands for the support of Government be devolved ! It matters little whether the Treasury be replenished by direct or indirect assessments, if the same capital furnish the fund for the supplies. But the failure of trade must inevitably diminish the present fund. The Bank Capital of the City, which contributes largely to the rev-

enue of the State, now bears a much higher proportion to that of the Country, than the valuation of the general property of the former to that of the latter. That this must be reduced, unless business can be extended, will not be questioned. However and whenever it shall be occasioned, the effect will immediately be experienced in the necessary imposition of new and higher duties on the people of the interior, to make up the deficiency. The amount to be raised upon the general valuation will be increased, and there may be danger too, that the aggregate of this valuation, in the City, may be diminished, and the proportion between Town and Country materially changed. It is no less essential to the prosperity of the whole body politic, that the commercial capital of the Commonwealth should be sustained in vigor, than, in the animal structure, that the heart, the seat of life, which sends forth the vital fluid to warm and animate the extremities, should beat with strong pulsations, to preserve health and soundness in every part of the natural body.

A jealousy has unreasonably been manifested, lest a *spirit of selfishness* may influence the inhabitants on the route of the proposed location of the road, to advocate its construction, in whole or in part, by the Commonwealth. It will be alike a service to the State, and an act of justice to those whose motives are thus distrusted, to remove this unfounded prejudice. The route recommended by the Board of Commissioners was preferred by them, for reasons which they have fearlessly submitted to public examination. These consist, in the saving of distance, in the less inequalities of surface, and in a favourable difference in feasibility and cost of construction. The correctness of the results, in these particulars, to which the Commissioners arrived, has no

where been controverted. The influence of the citizens, on the route, was not exercised to produce them. It so, in truth, happens, that in many towns in this direction, there is less of *local* interest to induce to the proposed improvement, than in places more remote. The people of no inconsiderable section of country through which the route passes, now enjoy, by the bounty of nature, a convenient passage-way to the Ocean and the great markets on the sea board; while those of another section, not less important, have opened to them an advantageous avenue to trade, through a work of art, recently executed by the almost unassisted enterprise of the citizens of a neighbouring State. The vallies of the *Connecticut* and the *Blackstone* are not the Districts of Country most to be benefitted by the accommodation of Rail Roads, nor will the Representatives from those Districts justly incur suspicion, if they should be found to advocate their construction. The object is of general concern.—The promotion of the great interests of the Commonwealth,—the extension of domestic trade,—the saving of that tax on labor which now bears down the industry of the Country, which leaves agricultural produce to perish on the land, from the expense of getting it to market, and subjects manufactures to charges in transportation which absorb all profits in their management,—these are motives for the patronage of the Government to the contemplated works of improvement. Without this patronage, exercised to some extent in advancements towards expense, it is much to be feared they cannot be undertaken, or if undertaken, that it must be upon grants of privilege and power repugnant to the sentiments of the people, inconsistent with the genius of a free government, and impairing the controul and future enjoyment, by the com-

munity, of the capacities of country for other purposes, and possibly, still higher objects. Let the subject, then, be viewed carefully, patiently, and without excitement, and if upon faithful investigation it shall be found entitled to favour, let that measure of encouragement and support be accorded to the work, which shall secure its effectual and most advantageous accomplishment.

It cannot but be my duty, however painful to myself or unacceptable to others, renewedly to present to the notice of the Legislature the subject of the fiscal concerns of the Commonwealth. The receipts of revenue continue to fall short of the ordinary expenses of the administration of the Government. In compliance with a request addressed by me to the Treasurer, that accurate and vigilant officer has furnished an abstract from his accounts since the commencement of the year, by which it appears, that the debt of the Commonwealth has been necessarily and greatly increased, under the authority of the Legislature to borrow of the Banks. On the first of January last, the aggregate sum due to those institutions was *seventy thousand dollars*. It now amounts to ONE HUNDRED AND THREE THOUSAND DOLLARS. There was of cash in the Treasury, on the morning of the 21st of May, at which time the abstract was furnished, \$23,035  $\frac{34}{100}$ , subject however to demands for payments on rolls and warrants then in the office, including a small balance of five per cent public debt, of \$11,263  $\frac{94}{100}$ , leaving a balance between the money and the claims upon it, at that time, of \$11,772  $\frac{36}{100}$  only. The Treasurer, in a communication accompanying his statement, observes, that "for the current expenses of Government, including the pay of the Honorable Legislature, a large sum will probably be needed in all the month of June, and it seems necessary there-



fore, that the Legislature should renew the Treasurer's authority to borrow, at an early period of the session."

Upon this official exposition of the condition of the finances of the State, it is with increased earnestness and solicitude, that I recommend to you the grant of a tax, at the present session, sufficient, at least, to prevent any further accumulation of debt, and to redeem some part of what is already incurred. A postponement to the winter session must inevitably add the excess of the expenditures of the current year to the sum already to be provided for. It must have become manifest to every intelligent mind, that a recurrence to the former mode of obtaining revenue by taxes, in some proportion to the amount required by the exigencies of the Government, can no longer be dispensed with. The public interest demands the measure. The system of assessment is equal, just, and as little oppressive in its operation, as any method which has been, or can be resorted to. From the establishment of the Government, until within a few years past, it was the invariable manner of furnishing supplies to the Treasury greatly beyond what are now required. The character of the State is reproached by the occasion of a continued resort to loans, from unwilling Corporations, to meet appropriations for the most common purposes of the Government. Nor is it just to these institutions to coerce them to the accommodation. However general are the terms of the obligation expressed in their charters, it was never designed nor contemplated, that they should be enforced on ordinary occasions. It is upon sudden and unforeseen emergencies, or under peculiar and unusual circumstances only, that this recourse should be had. It is an oppression too, upon the citizens, in their business transactions, which often depend

upon facilities to be derived from Banks, that they are subjected to disappointments from the necessity imposed upon the corporations of a prompt compliance with the Treasurer's requisitions. If the occasion for borrowing cannot now be provided against, how is the demand for payment, hereafter, to be met? Will the people be more ready to submit to taxation to extinguish a debt, than they are to prevent it from being contracted? Will any state of the country better justify a reasonable exaction, than its present peaceful and prosperous condition? I trust there is but one sentiment on this subject, and that immediate and adequate provision will be made to relieve the Commonwealth from the humiliation of further dependence upon loans, and the people, from the more grievous apprehensions of a debt, rapidly accumulating, without reference to time, or manner, or appropriation of funds, for its redemption.

The Warden of the State Prison has recently presented to the Executive his semi-annual statement of the affairs of the Institution, which, for its interesting details, and the many important suggestions it contains, proper for your consideration, will be laid before you. It will be seen, with satisfaction, that, under the vigilant police which has been established, and the scrupulous accountability which is required of the officers, the expenses are gradually diminishing; and that further considerable deductions may reasonably be looked for. The New Prison will probably be completed in the month of August, when, by the provisions of the late statute, the number of officers is to be greatly diminished. The anxiety expressed by the Warden, on this subject, deserves your particular regard. In his judgment the number of Watchmen proposed to be retained, will be too few, to afford confidence in the safe keeping,

and government of the prisoners. Concurring with him in the opinion that more officers than the law contemplates, upon the completion of the building, will be required, to prevent attempts at escape and enforce discipline, while the convicts are at their labor, in the manner, and at the different places in the shops, in the yard, and upon the wharves, where they must necessarily be employed, I advise to an alteration of the statute, so far, as to authorize retaining the number of watchmen proposed in his communication.

I recommend also to your *inquiry*, the propriety of adopting his suggestion for the appointment of a superintendent of the Hospital, and to your consideration, his remarks, in respect to the treatment of the convicts upon their discharge from a second commitment. Of the expediency of the first measure, I am not sufficiently informed, and upon the latter, the objection does not strike my mind with the force which he expresses. His opinions, however, are entitled to much respect, as his character and conduct, as an intelligent, efficient, and most devoted officer, is worthy of all confidence.

Pursuant to a Resolve of the 25th of February last, as soon as I was informed of the arrangement of the officers of the National Government, under the present Administration, I applied to the Secretary of War, for a copy of the report of the surveys made by the authority of the United States, for a canal route from Boston Harbour to Narragansett Bay, with copies of such plans, maps, or estimates, as might accompany the report, for the use of the Government of this Commonwealth. The reply of the Secretary, of the date of the 30th of March, assured me, that copies should be furnished as early as the same could be prepared. They have not yet been received

In execution of the authority of a special Resolve, passed at the last session of the Legislature, the Board of Internal Improvement have recently made examinations and surveys for a route for a Rail Road from Plymouth to Wareham, in the County of Plymouth. Their Report shows the practicability of the construction. The distance from tide waters in Plymouth to Wareham Landing, by the proposed route, is *fourteen and a half miles*; and but *three fourths* of a mile greater, than by a right line. The greatest elevation of the road will not exceed the rate of seventy feet to a mile, and this upon a short section. The summit elevation above high water is found to be *two hundred feet*, and the entire change of level, through the whole route, *four hundred and fifty nine feet*. The expense of a single Railway is estimated at from \$7,500 to 8,000 per mile, the difference depending upon the facility of procuring supplies of granite for the foundation.

Copies of Resolutions of the Legislature of Louisiana, proposing that the Constitution of the United States, in the first section of the second article, be so amended, that the President and Vice President shall hold their offices for six years, and that the President shall be ineligible afterwards; of Resolutions of the Legislature of South Carolina, denying the powers of the General Government to adopt a system of Internal Improvement as a National Measure, and to regulate duties upon imports for the purpose of encouraging domestic industry, and also the right of Congress to patronize the American Colonization Society; and copies of the proceedings of the General Assembly of Virginia, in relation to certain other proceedings of the Legislatures of South Carolina and Georgia, upon the subjects of the Tariff acts and the acts for Internal Improvements, have been

received by me from the Governors of those States respectively, and will be submitted to you, in respectful compliance with the requests which accompany their transmission. The subjects referred to in the proceedings of South Carolina and Virginia, have been presented to the attention of the Legislature of Massachusetts, on repeated occasions. But I am not aware, that the proposition contained in the Resolutions of the Legislature of Louisiana, has ever been acted upon, by this Government.

It has become my duty to apprise the two Branches of the Legislature, that a vacancy exists in the office of Major General of the Fourth Division of the Militia, by the resignation of Major General Asa Howland, who, after an exemplary course of services for a series of years, in successive grades of advancement, has been honorably discharged.

Matters of much moment will urge themselves upon your notice, during the present political year. Humanity, justice and good policy, alike demand a revision of the laws relating to imprisonment for debt, and some relief to the present condition of the honest and unfortunate insolvent. An attempt to reduce within convenient limits the delegation to the House of Representatives, and lessen the expense of legislation, and the measures proper to be adopted to enforce the claim of the State upon the General Government, cannot fail to receive your earnest attention, at the fit opportunity. Whatever your wisdom shall propose in the disposition of these and other subjects of general concern, will meet with that aid and support from me, which a faithful desire to fulfil acceptably, the duties of my station, should secure.

LEVI LINCOLN.

*State House, Boston, May 30, 1829.*

## CHAP. I.

*To the Honorable Senate and  
House of Representatives.*

The Secretary is charged with the delivery, to both Branches of the Legislature, of copies of the Documents referred to in my communication of this morning.

LEVI LINCOLN.

*Council Chamber, May 30, 1829.*

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## CHAP. II.

*A Resolve authorizing the County Commissioners of the County of Bristol to issue a Warrant for the County tax upon the town of Westport in said County, for the year 1828.*

June 5, 1829.

Whereas, the warrant issued, by order of the County Commissioners for the County of Bristol, on the first Tuesday of May 1828, to the Assessors of the town of Westport in said County, for their proportion of the county tax for said year, was never received by said Assessors, and the tax aforesaid was never assessed or paid into the Treasury of said County of Bristol; therefore,

*Resolved*, that the County Commissioners of the County of Bristol, be, and hereby are authorized, to issue a warrant to the assessors of the town of Westport in said County, requiring them to assess upon said town the sum of six hundred and twenty five dollars and thirty four Cents, being their proportion of the county tax for the year 1828, to be collected and paid into the Treasury of said County for the purposes for which it was orig-

inally granted; and be it further *Resolved*, that the County Commissioners aforesaid, are hereby authorized to meet at Taunton, within and for said County, on the third Tuesday of June, A. D. 1829, for the purpose aforesaid; and said County Commissioners are further authorized to do and perform at said meeting all such acts as they now can legally do, at either of the regular sessions of said Commissioners established by law in said County.

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### CHAP. III.

*A Resolve for the further Distribution of the Copies of the Report of the Board of Directors of Internal Improvements.*

June 6, 1829.

*Resolved*, That the Copies of the Report of the Board of Directors of Internal Improvements, reserved by the provisions of a Resolve dated the second day of February, one thousand eight hundred and twenty nine, for the future disposition of the Legislature, be distributed as follows, viz. the Secretary of the Commonwealth is hereby authorized to deliver, to each member of the Senate, and to each member of the House of Representatives, who has not already received one, a Copy of the Report of the Board of Directors of Internal Improvements of the State of Massachusetts, on the practicability and expediency of a Rail Road from Boston to the Hudson River, and from Boston to Providence."

CHAP. IV.

*Resolve for the pay of the Council, Senate, and House of Representatives.*

June 8, 1829.

*Resolved*, That there be paid out of the Treasury of this Commonwealth, to each member of the Senate and House of Representatives, two dollars, for each and every days attendance, as such, the present political year, and the like sum of two dollars, for every ten miles travel from their respective places of abode, once in each session, to the place of the sitting of the General Court ; and also to each member of the Council, two dollars, for each day's attendance at that Board, at every session thereof during the present political year, and the like sum of two dollars, for every ten miles travel, from their respective places of abode once in each session thereof ; and to the President of the Senate and Speaker of the House of Representatives, each, two dollars, for each and every day's attendance, in addition to their pay as members.

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CHAP. V.

*Resolve authorizing the Treasurer to borrow money.*

June 9, 1829.

*Resolved*, That the Treasurer of this Commonwealth be and he is hereby authorized and directed to borrow, of any of the Banks of this Commonwealth, or any Corporation therein, or of any individual or individuals, such sum or sums, as may from time to time be necessary for the payment of the ordinary demands on the Treasury,



at any time before the next session of the present General Court; and that he pay any sum he may borrow, as soon as money sufficient for the purpose, and not otherwise appropriated, shall be received in the Treasury; *Provided however*, that the whole amount borrowed by authority hereof, and remaining unpaid, shall not, at any time, exceed the sum of one hundred and twenty thousand dollars.

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## CHAP. VI.

*To the Honorable Senate, and  
House of Representatives.*

I have pleasure in communicating to the Legislature, the presentation, by Moses Greenleaf, Esq. for the acceptance of the Executive and Legislative Departments of this Government, of three copies of a Survey and Map of the State of Maine, recently executed by him. The Secretary is charged with delivering one copy to each Branch of the Legislature, while the remaining copy is retained in the Council Chamber.

This liberal and valuable donation, which is offered as a memorial, in the language of the donor, "of the most gratifying recollections of the favourable notice received on a former occasion from the Legislature of his native state," will, doubtless, meet that respectful regard and acknowledgment, with which so gratifying an expression of his sentiments should be reciprocated. His letter accompanying the Maps, is transmitted with this communication, for the notice of the Legislature.

LEVI LINCOLN.

*Council Chamber, June 9, 1829.*

CHAP. VII.

*Resolve on the petition of Solomon Warriner and others.*

June 10, 1829.

*Resolved*, That William H. Sumner, Adjutant General, be, and he is hereby authorized to release by deed, to any person or persons, all the right of the Commonwealth in and to a certain tract of land in the town of Springfield, on which the Gun House now stands, and which was conveyed to the Commonwealth by William Sheldon, on the sixteenth day of June, in the year of our Lord one thousand eight hundred and thirteen, bounded westerly on the burying ground, northerly on Elm street, easterly, and southerly by land formerly of said Sheldon, now of Charles Stearns: *Provided*, that another tract of land, of the usual dimensions for erecting a Gun House thereon, shall be conveyed to said Commonwealth, which, in the opinion of the Adjutant General, shall be suitable therefor, and that the said Gun House be removed on to the same, and put into repair without any cost to the Commonwealth.

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CHAP. VIII.

*Resolve for purchasing Report of Prison Discipline Society.*

June 10, 1829.

*Resolved*, That the Secretary of the Commonwealth be authorized to purchase, for the use of the Legislature and Executive, six hundred copies, of the Fourth Annual Report of the Prison Discipline Society; *Provided*, that the price thereof shall not exceed twenty five cents per copy.

CHAP. IX.

*Resolve on the petition of Elisha Luce.*

June 10, 1829.

On the petition of Elisha Luce, praying that he may be allowed to build a wharf in Scippicun harbour, in Rochester, in the County of Plymouth, below low water mark, and that he may enjoy the exclusive use of the water between the lines of his land in said petition mentioned, without interfering with the rights of others, to the Channel of said harbour ;

*Resolved*, That, for reasons set forth in said petition, the said Elisha Luce be, and he hereby is authorized and allowed, to build a wharf below low water mark to the channel of said harbour, and that he be allowed the exclusive use of the water, for the use, accommodation and occupation of said wharf between his said land and the main channel of said harbour, and within the direction of the lines of his said land ; *Provided*, that this grant shall in no wise affect the legal rights of any other person or persons whatsoever.

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CHAP. X.

*Resolve on the petition of Oliver Holden, Executor of the last will of John P. Clark.*

June 11, 1829.

*Resolved*, For the reasons set forth in said petition, that Oliver Holden of Charlestown, in the County of Middlesex, Executor of the last will and testament of John P. Clark, formerly of Boston in the County of Suffolk, deceased, be and he hereby is authorized, at any time within two months after the passing of this Resolve, to

## TREASURER TO EXAMINE ACCOUNTS. 185

make and file in the Probate office, in said County of Suffolk, his affidavit, setting forth the time, place and manner in which he gave notice of the sale of certain real estate of said deceased, situate in said Boston, and which the said Holden was licensed to sell by virtue of an order of the Boston Court of Common Pleas, and such affidavit being so filed shall be evidence of the time, place and manner in which such notice was given, and be as effectual for all purposes, as if the same had been made and filed in said Probate office, within the time prescribed by law.

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### CHAP. XI.

*A Resolve requiring the Treasurer to examine and audit accounts against the Commonwealth.*

June 11, 1829.

*Resolved*, That the Treasurer of this Commonwealth, for the time being, be, and he is hereby required, to examine and audit all accounts presented against the State, (except such wherein the settlement is otherwise provided for, and also excepting military accounts and the accounts for the support of Paupers) and shall make a detailed report thereof, classified under their appropriate heads, to the Legislature, on the second Monday of the first session and the fourth Wednesday of the second session of the General Court, in each year, of all accounts which have been presented in the form prescribed by law. He shall also in like manner report what claims have been presented, for which the vouchers to support them do not conform to the requirements adopted by the Legislature, with a full statement of all the information he may have become possessed of in relation to such claims.

CHAP. XII.

*Resolve making an appropriation for the State Prison.*

June 11, 1829.

*Resolved*, That there be allowed and paid, out of the Treasury of this Commonwealth, for the use of the State Prison, the sum of thirteen thousand forty dollars, and ninety two cents, to be drawn from the Treasury by the Warden of said Prison, in such sums as the Governor, with the advice of Council, shall, from time to time, direct; and his Excellency the Governor, with the advice of the Council, is hereby authorized and requested to draw his warrant on the Treasury for the said sum accordingly.

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CHAP. XIII.

*Resolve on the petition of Benjamin Simon.*

June 11, 1829.

*Resolved*, For reasons set forth in said petition, that Nathaniel Staples, of Middleborough in the County of Plymouth, be and he hereby is appointed Trustee of the property of Benjamin Simon an Indian, with the same authority and power as was granted to John Tinkham Esquire, late of said Middleborough, deceased, in and by a resolve passed the seventh day of March 1811, whereby said Tinkham was appointed trustee of said property of said Simon.

## CHAP. XIV.

*Resolve for the pay of the Clerks of the two Houses.*

June 11, 1829.

*Resolved*, That there be paid, out of the Treasury of this Commonwealth, to the Clerk of the Senate, eight dollars per day, to the Clerk of the House of Representatives ten dollars per day, and to the Assistant Clerk of the Senate, six dollars per day, for each and every day's attendance, they may have been or may be employed in that capacity, during the present session of the Legislature ; and the Governor is requested to draw his warrant accordingly.

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## CHAP. XV.

*Resolve to provide fuel and other articles for the use of the Commonwealth.*

June 11, 1829.

*Resolved*, That there be paid, out of the Treasury of this Commonwealth, to Jacob Kuhn, Messenger of the General Court, the sum of one thousand dollars, to enable him to purchase fuel, and such other articles as may be necessary for the use of the General Court, together with the Governor's and Council's Chamber, the Secretary's, Treasurer's, Adjutant General's Office, and also for the Land Office ; he to be accountable for the expenditure of the same ; and the Governor is requested to draw his warrant accordingly.

## CHAP. XVI.

*Resolve for pay of John V. Low.*

June 11, 1829.

*Resolved*, That there be allowed and paid, from the Treasury of this Commonwealth, to John V. Low, Assistant Messenger to the Governor and Council, two dollars per day, for each and every day he has been or may be employed in that capacity during the present session of the Council, and the Governor with the advice of Council is requested to draw his warrant accordingly.

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## CHAP. XVII.

*Resolve for the pay of Jacob Kuhn.*

June 11, 1829.

*Resolved*, That there be allowed and paid, out of the public Treasury, to Jacob Kuhn, in full for his services as Messenger to the General Court and for his care of the State House, and all other services rendered by him, including those mentioned in a Resolve passed on the nineteenth day of October in the year of our Lord one thousand eight hundred and fourteen, for the year commencing the thirtieth day of May last, the sum of one thousand dollars, payable quarterly; and the Governor is requested to draw his warrant accordingly.

CHAP. XVIII.

*Resolve on the petition of Kirk Boot and others.*

June 11, 1829.

*Resolved*, For reasons set forth in the petition of Kirk Boot and others, His Excellency be, and he is hereby authorized to appoint a competent Engineer, to make a survey for a Railroad from the Town of Lowell to the City of Boston, the said Engineer to make report of such survey, together with a map thereof, and estimates of the expense of constructing such work, to the Governor and Council, as soon as may be after such survey and estimates have been completed, that the Governor may lay the same before the Legislature at the first session thereof next ensuing, *Provided*, the expenses of the said survey, map and estimates, shall not exceed the sum of two hundred and fifty dollars.

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CHAP. XIX.

*Resolve for the Survey of a Railroad in the County of Bristol.*

June 12, 1829.

*Resolved*, That the Board of Commissioners of Internal Improvements, who were appointed in pursuance of a Resolve passed on the twenty second day of February, in the year of our Lord one thousand eight hundred and twenty seven, be directed to survey a route for a Railroad from the town of Taunton to some point in the route already surveyed between Boston and Providence, *Provided* that the expense to the State, of such survey, shall not exceed the sum of two hundred and fifty dol-



190    TREAS. OF ESSEX.—S. HUBBARD.

lars. And said Commissioners are directed to make their report to the Governor and Council, as soon as may be after completing said survey, that the same may be laid before the Legislature at the first session thereof next ensuing.

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CHAP. XX.

*Resolve in favour of the Treasurer of the County of Essex.*

June 12, 1829.

*Resolved*, That there be allowed and paid, out of the public Treasury, to William Foster Wade, Esq. Treasurer of the County of Essex, the sum of five hundred and seventeen dollars and eighty four cents; being the amount paid by said Treasurer for the support of sundry State Paupers confined in the House of Correction in said County of Essex, from the 15th of Oct. 1828, to the 13th of April 1829, agreeably to an act passed March 10, 1827.

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CHAP. XXI.

*Resolve on the petition of Samuel Hubbard, as Guardian of Thomas Hancock, a person non compos mentis.*

June 12, 1829.

On the petition aforesaid; *Resolved*, that the said Samuel Hubbard, for reasons set forth in his petition, be authorized, as Guardian of said Thomas Hancock, and he is hereby authorized and empowered, to purchase for said Thomas, on such terms as he may think rea-

sonable, the life estate of Mrs. Dorothy Scott, in the whole or any part of the Mansion house estate of the late Governor Hancock in Beacon Street, in Boston, of which said Thomas now owns the reversion.

And said Hubbard is further authorized and empowered, to sell and convey all or any part of the estate and interest of said Thomas Hancock in lands in Beacon and Belknap Streets in Boston, which belonged to the late Governor Hancock, at public or private sale, for cash or credit, and on such terms as he shall judge for the interest of said Thomas, *Provided however*, that said Hubbard shall first give bond to the Judge of Probate for the County of Suffolk, with surety or sureties, in such sum as shall be satisfactory to said Judge, faithfully to account for the proceeds of any sale which may be made under the provisions of this Resolve.

## ROLL, No. 101.....JUNE, 1829.

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The COMMITTEE ON ACCOUNTS having examined the several accounts presented to them, Report,

That there is due to the several Corporations and persons hereinafter mentioned, the sums set against their names respectively, which, when allowed and paid, will be in full discharge of the said accounts, to the dates therein mentioned, which is respectfully submitted.

By order of said Committee,

ELIHU HOYT, *Chairman.*

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### PAUPER ACCOUNTS.

Amesbury, for support of Robert Baker, and James Richards, and Burial of Benjamin Felker, to May, 29, 1829.	\$42 80
Abington, for support of David Jack and wife, and burial of said David, support of Antonio Julo, Stephen Long and wife, to June 3, 1829,	177 16
Amherst, for support of Jane and Polly Richardson, to June 1, 1829,	93 60

# PAUPER ACCOUNTS.

193

Adams, for support of Chester Dean, Phila Hill, Jeremy Derry and wife, Robert Harris, Ebenezer Lilly, Sarah Goodrich, Uriah Carpenter, Sarah Dodge, Molly Dimon, Agnes Morris, and Daniel Hannah, to May 19, 1829.	202 92
Becket, for support of Siba Hamblin and Maria Parker, to May 25, 1829,	38 31
Blandford, for support of John H. Durlam, Susan Burdick, and Lettice Brewster, to May 26, 1829,	140 40
Bellingham, for support of Sarah Armlus, to June 4, 1829,	12 15
Boston City, for support of sundry Paupers to May 31, 1829,	1627 95
Boston City, for support of sundry paupers, in House of Correction, to March 31, 1829,	320 41
Boston City, for support of sundry paupers in House of Industry to May 31, 1829,	4485 44
Boston City, for support of sundry paupers in House for Employment and Reformation of Juvenile Offenders to May 31, 1829,	266 71
Chelmsford, for support of Joanna Mc Lane, Catharine Brichtle, Nancy Brichtle, and John Richard Brichtle, to Jan. 1, 1829,	78 30
Cheshire, for the support of Noel Randall, Ephraim Richardson, and Polly Cooper, to May 23, 1829,	51 30
Colerain, for support of Peter R. Hart, Samuel Dean, Betsy Hart, and three children, Kate Vanvoltenburg, Lucy Freeman, and two illegitimate children of said Lucy Freeman, to May 26, 1829,	140 00
Chester, for support of Ann Butolph, Benj. Powers, and Jenny Hardy, to June 1, 1829,	140 40
Carlisle, for support and funeral expenses of Robert Barber, to March 19, 1829,	14 64
Clarksburg, for support of Naomi Hill, Dorothy Hill, aged 9, N. Hill, aged 7, and William Hill, aged 4, to May 23, 1829,	170 40

Charlestown, for support of sundry paupers, to June 2, 1829.	2136 28
Cambridge, for support of sundry paupers, to June 8, 1829,	1609 43
Dalton, for support of Charles McKee, and Richard Hoose, to May 5, 1829,	72 80
Dudley, for support of Betsy Hood and child, Allsbury Reynolds, Sarah Reynolds, and William Sloan, a child, to June 2, 1829,	49 80
Deerfield, for support of Daniel Ellis, Prince Emanuel, and Lovina Witherell, to June 1, 1829,	58 26
Danvers, for support of Owen Millen, John Fitzgerald, Cesar Wilcox, James Wallace, Moran Foley, John Henley, John Dury, Ruth Parsons, Daniel Covell, and Joel Wesson, and burial of Ruth Parsons, to June 3, 1829,	169 32
Dighton, for support of Molly Fish, to June 1, 1829,	19 29
Edgartown, for support of Emanuel Salvors, to June 1, 1829,	46 80
East Bridgewater, for support of Lucinda Nero and child, Betsy Chace, Nathl. Lawrence, Elihu Stevens, Meribah Williams, Robert Sever, Joseph S. Perry, and Charlotte Wood, to May 14, 1829,	153 24
Enfield, for support of Deborah Buttersworth, and Diana Bosworth, to April 8, 1829,	84 86
Framingham, for support and Burial of James Briggs and support of Peggy Carroll, to April 28, 1829,	20 30
Granville, for support of Mary Barden, Sally Stuart, Samuel Gallup, support and burial of Raymond Mc Garra, to May 25, 1829,	61 92
Greenwich, for support of Josiah Temple and family, to March 3, 1829,	5 96
Gill, for support of Mary Lawson, to May 21, 1829,	46 80
Great Barrington, for support of sundry paupers, to June 2, 1829,	296 45

# PAUPER ACCOUNTS.

195

Hardwick, for support of family of Edward Reney, consisting of Elizabeth, his wife, Elizabeth Harriet aged 9, William aged 7, and Mary Esther, aged 5, to May 1, 1829,	89 82
Hancock, for support of Silas Shipman, Sally Shipman, Israel Clark, and John H. North, a child, to May 27, 1829,	64 89
Hatfield, for support of Daniel Allis, to Dec. 17, 1828,	13 50
Hinsdale, for support of John Coughran, to June 1, 1829,	7 20
Hanover, for support of Hannah Long, to June 1, 1829,	10 35
Lenox, for support of Moses Mc Graw, Edward Hurlburt, Samuel Boid, Samuel Bell, Jane Austin, Dayton Fuller, and Caroline Weaver, Lucinda Hurlbert, and Aurilla Hurlbert, children, to May 31, 1829,	144 90
Leyden, for support of Arnold Clark, Tacy Fuller, Ruth Abel, Hannah Cole, Desire Stanton, and Jane Golden, to May 28, 1829,	135 50
Ludlow, for support of Thomas Brainard, to May 27, 1829,	7 20
Lanesborough, for support of Eunice Foot, Lucy H. Gormon, Mary Squire, Amos Dodge, Mary Dodge, Amelia Bennet, Mary Van Sickle, and the following children. Rufus Dodge, John Dodge, Amanda Lane, Lucinda F. Dodge, John Stanborough, and Harriet Stanborough, to May 26, 1829,	201 50
Also, amount omitted in Roll of January Session,	121 00
Lee, for support of Sarah Ross, and John Marble, and support and burial of Henry Brown,	47 56
Milton, for support of James Bowman, John J. Meyers, Archibald Mc Donald, Hannah Cunningham, Susannah Whiting, George Lewis, Children—George and Nancy Hamilton, and burial of George Lewis, to June 1, 1829,	83 75

Montague, for support of Anna Sinclair, and Lydia Wolcott, and removal of latter, to May 26, 1829,	38 40
Mendon, for support of John Ager, Levi Young, Martha Newhall, and Andrew Sloan, a child, to June 1, 1829,	166 40
Montgomery, for support of Willard Convers, to June 1, 1829,	19 42
Milford, for support of Henry Burley, to May 20, 1829,	58 50
Marlborough, for support and funeral expenses of David Olds, to June 1, 1829,	28 40
Monson, for support of Mary Allen, Flora Story, Roxana Wallis, Dolly Wallis, Hannah Brown, and the following children—Benj. Wallis, Dickinson Wallis, and Biram Wallis, to May 1, 1829,	95 40
Middleborough, for support of sundry paupers, to May 1, 1829,	461 35
New Marlborough, for support of Jonathan Hill, to June 1, 1829,	60 94
Norton, for support of Moses Shute, to May 29, 1829,	25 44
Northampton, for support of sundry paupers, to June 1, 1829,	707 35
Newburyport, for support of sundry paupers, to June 1, 1829,	841 21
Northbridge, for support of John Crompton, and funeral expenses of John Smith, and Saul Aldrich, to May 10, 1829,	31 63
Newbury, for support of sundry paupers, to June 1, 1829,	548 43
New Bedford, for support of sundry paupers, to April 1, 1829,	661 05
North Brookfield, for support of Esther Johnson, to May 18, 1829,	16 20
Oakham, for support of Toby Barton, to June 1, 1829,	66 15
Paxton, for support of Hannah Jonah, to May 25, 1829,	5 00
Phillipston, for support of Abraham Scholl, to June 1, 1829,	19 41

# PAUPER ACCOUNTS.

197

Peru, for support of Robert Burges, to June 4, 1829,	19 80
Pembroke, for support of Edward Smith, to June 4, 1829,	29 70
Plymouth, for support of Simeon Peat, Stephen Appleford, Phebe Appleford, Mary Ann Appleford, John M. Roap, John Worthing, James Reed, Maria Harrison, to June 1, 1829,	79 75
Pawtucket, for support of Jane Donaldson and child, Mary Pomroy, Robert Butterworth, Zechariah Foster, (a child) and burial of John N. White, to May 28, 1829,	48 29
Rowley, for support of Ella Collins, Tryphosa Knight, Louisa Pierce, William Davis, Orna Davis, John Webber, Luke Weems, Bridget Cook, Ella Weems, Paul Peterson, John Mc Carty, and the following children, viz. : Alphonso Knight, Maria Knight, Jane Davis, Catharine Davis, Margaret Cook, and funeral charges of Ella Collins, to June 26, 1829,	166 73
Russell, for support of Sally Harrington and Mary Newton, to May 27, 1829,	37 80
Richmond, for support of Samuel Hill, Nancy Jessup, Martha Hoger, Susan Darling, Sarah Ann Rollins, (a child) Amos Amosa Darling, (a child) support and burial of Uriel Fuller, to May 25, 1829,	102 95
Rochester, for support of Edward B. Sandford, Rhoda his wife, and the following children of said Sandford, viz. Alfred, aged 10, Amos 7, Charles 5, Edward 2, to June 3, 1829,	83 60
William Robinson, Guardian, for supplies furnished Dudley Indians, to close of his Guardianship,	8 99
Saugus, for support of Susan Walton, Roxana Walton, Graty Walton, and Hannah Walton, to May 25, 1829,	45 60
Sandisfield, for support of Richard Dixon and wife, and Lucretia Filley, to May 21, 1829,	41 91



Southampton, for support of Robert Livingston, (a child) to	9 50
Southwick, for support of Daniel Marlow, to June 1, 1829,	46 80
Swansey, for support of Martha Downsnips, Jude Mc Carter, Susannah, an Indian, Olive Freeman, Rozilla Freeman, Betsy Lovejoy, and burial of Jacob Lovejoy, to May 30, 1829,	141 04
Sterling, for support of James Lavinna, and John M. Chambers, and burial of latter, to May 15, 1829,	24 29
Salem, for support of sundry paupers, to June 1, 1829,	941 77
Stockbridge, for support of Abraham Parmalee, Martha Dowd, Margery Curtis, and Dinah Elky, to June 1, 1829,	93 60
Sheffield, for support of Molly Bows, Charlotte Turner, John W. Munroe, and the following children, viz. Dennis and Caroline Kelly, Phebe Durant, and Margaret Durant, also funeral expenses of Molly Bows, and John W. Munroe, to June 8, 1829,	90 87
Sunderland, for funeral expenses of Peter Oliver, to June 1, 1829,	5 00
Shutesbury, for support of Zechariah Finimore's family, and Peter Jackson and wife, to June 4, 1829,	125 40
Sharon, for support of Edward Ellis, and Elizabeth Ellis, to June 3, 1829,	34 20
Taunton, for support of Nancy Stella and children, Sally Volum, Deborah Smith, William Wilson, Robert Wilson, Samuel Shoemaker, Joseph Lyon, Patrick Magher, Samuel Rose, Ebenezer Easty, James Whawill, and burial of an unknown person, to June 1, 1829,	201 41
Topsfield, for support and burial of Phillis Es-ty, and support of Phillis Emerson, to May 28, 1829,	89 47
Tyringham, for support of Richard Gardner and wife, Asa Thompson, Mary Deskill, and Pamela Philley, to May 26, 1829,	90 00

# PAUPER ACCOUNTS.

199

Townsend, for support of Marinda Jackson, Samuel B. Jackson, and Henry S. Jackson, children of Margaret Jackson, to June 10, 1829,	32 34
Uxbridge, for support of Mary Jenks, child of Phillis Jenks, Ezra Comstock, Mary Pratt, Frederick Trask and wife, to May 23, 1829,	164 20
Williamsburg, for support of John Cook, James Turner and three of his children, to June 5, 1829,	123 72
Ward, for support of Sarah Wiser, an Indian, to May 8, 1829,	46 80
West Newbury, for support of Mary Renton and Susan Ann, George Keely, William Alfred, and Rebecca Duncan, children of said Mary Renton, to May 1, 1829,	73 34
Westfield, for support of John N. Berry, Esther Berry, Aseneth Gibson, Mary Parks, Mary Ann Barker, Hepzibah Brewer, George Gibson, (a child) Melissa White, and support and burial of James Hill, and Matthew Clark, to June 1, 1829,	145 84
Worthington, for support of Lemuel Culver and funeral of do. support of Mary Culver, to May 18, 1829,	65 80
Washington, for support of James Lamb, John Dinan, Ellen Dinan, Achsah, wife of Harvey Edwards, George Miner, and five children of Harvey Edwards, aged 10, 8, 6, 5, and 2, also Ellen Casey and her three children, aged 7, 5, and 2, also John Thompson, to May 25, 1829,	79 05
West Hampton, for support of Jane Gay, Sylvia Miller, John Cochran, Owen Martin, and Filia Sherman, and Mary Ann Sherman, coloured children, to May 21, 1829,	91 35
West Stockbridge, for support of Lucy Lane, James C. Briggs, Ransom H. Briggs, Sally Barton, Ebenezer Wood, Abigail Wood, Henry W. Rogers, Mary Mc Clean, William Vanderburgh, and funeral expenses of William Warner, to May 20, 1829,	152 06

West Springfield, for support of Hannah Shev- voy, Louis Shevoy, Laura Chapin, and Rod- ney Benedict, (a child) to May 30, 1829,	69 90
West Bridgewater, for support of Thomas Quindley, to June 1, 1829,	19 29
Ware, for support of Thomas Dennison, Charles Simpson, Jacob Jackson, John J. Upham, and two children, viz. George Mc Booth and Horace Booth, to June 6, 1829,	317 40
Wilbraham, for support of Eunice Davis, Mary Walker, Alice Dodge, Bathsheba Butter- field, Mary Jane Butterfield, (a child) and funeral of Thomas Wilson, to May 21, 1829,	160 70
Wrentham, for support of Robert Wilson, Peg- gy Taylor, Eliza Ann Woodward, (a child) James Walker, do. Betsy Tew, and her il- legitimate child; Grizzy Patten, and her three children; Lucy Marsh and her two illegitimate children; John Clark and Park- er Wise, to June 1, 1829,	286 56
Williamstown, for support of Asahel Foot, wife and four children, Wealthy Foot, child of do. Rachel Galusha, Peggy Cutt, John G. Hen- derson, Esther Sherman, and Henry Cutt, to May 22, 1829,	140 59
Wenham, for support of Sarah English, to May 30, 1829,	63 00
Yarmouth, for support of Thomas Peters, Black Lot, James Wallace, and burial of said Wallace, to May 28, 1829,	53 60
Aggregate of Pauper Account.	<hr/> \$22,265 26

PRINTERS' AND MISCELLANEOUS ACCOUNTS.

MAY, 1829.

Adams, James Jun. for newspapers, to June 8, 1829,	\$19 98
Adams & Hudson, for newspapers and printing Laws, to June 8, 1829,	143 15
Adams, G. W. & William, for repairs on State House, to June 6, 1829,	9 70
Bazin, George W., for newspapers to June 7, 1829,	11 00
Beals & Homer, for newspapers and publishing Laws, to June 11, 1829,	126 53
Blaney, Henry, for repairs on State House, to June 3, 1829,	54 88
Badger & Porter, for newspapers to June 9, 1829,	194 44
Ballard & Co. for newspapers to March 4, 1829,	99 78
Burdett, James W., for sundries for different Departments, to June 8, 1829,	342 96
Buckingham, J. T. for newspapers to June 9, 1829,	29 37
Bradlee, Samuel & Son, for materials for State House to June 9, 1829,	37 81
Bacon, Henry, for services as assistant messenger, to June 13, 1829,	40 00
Clapp, Otis, for newspapers to June 13, 1829,	51 48
Collier, W. R. & W., for newspapers to June 8, 1829,	27 52
Child, D. L. for newspapers to June 10, 1829,	331 96
Clapp, W. W. for newspapers and publishing Laws to June 9, 1829,	76 02
Chace, Warren, for services as assistant messenger to June 13, 1829,	40 00
Cutting, E. W., for services as assistant messenger, and of his son as page, to June 13, 1829,	52 00
Danforth, Allen, for publishing Laws, to May 1, 1829,	33 34

## 202 PRINTERS' & MISCEL. ACCOUNTS.

Forbes, G. V. H., for newspapers and publishing Laws, to June 8, 1829,	89 47
Goodrich, I. W., for sundries, to June 6, 1829,	42 50
Gore & Baker, for repairs on State House, to June 9, 1829,	66 80
Hale, Nathan, for newspapers, to June 8, 1829,	100 59
Howe, J. F. & Co., for newspapers, to June 7, 1829,	110 80
Judd, Sylvester, for publishing Laws to May 23, 1829,	16 67
Kuhn, Jacob, for balance on his account to June 8, 1829,	220 52
Kuhn, Jacob, jun., for services as assistant messenger, to June 13, 1829,	36 00
Loring, Josiah, for sundries furnished Treasurer's Office, to May 28, 1829,	16 37
Loring, Josiah, for sundries to April 30, 1829,	38 37
Mead, John, for pasting, folding, &c. of Canal Maps, to June 6, 1829,	20 00
Nichols, William, for newspapers to June 6, 1829,	19 81
Palfray, Warwick, Jun., for publishing Laws, to May 1, 1829,	16 66
Pendleton, W. & J., for Lithographic Engraving and printing plans for Canal, to June 8, 1829,	147 00
Pitts, Sarah, for services of her son as Page, to June 13, 1829,	16 00
Reed, David, for newspapers, to June 8, 1829,	44 43
Russell, J. B., for newspapers, to June 8, 1829,	13 50
Sumner, Frederick A., for newspapers, to June 8, 1829,	22 05
Snelling, Enoch, for setting lights, &c. in State House, to June 5, 1829,	50 32
True & Green, for printing, to June 9, 1829,	1058 86
Willis & Rand, for newspapers, to June 6, 1829,	42 72
Webster, Charles, for publishing Laws, &c. to June 1, 1829,	16 66
Wheildon, W. W., for publishing Laws, &c. to June 5, 1829,	19 06

## SHERIFFS' & CORONERS' ACCOUNTS. 203

Wheeler, John H., for repairs on State House, to June 6, 1829,	831 13
Yerrington, J. B., for newspapers, to June 7, 1829,	8 00
<b>Aggregate of Printers and Miscellaneous Ac- counts,</b>	<b>\$4786 21</b>

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## SHERIFFS' AND CORONERS' ACCOUNTS.

MAY, 1829.

P. S. Folger, Coroner for Nantucket, for sun- dry Inquisitions to April 12, 1829,	\$67 50
G. W. Metcalf, Coroner of Middlesex, for ta- king Inquisitions to March 17, 1829,	8 41
Josiah D. Pease, Sheriff of Dukes Co., for re- turning votes, to April 30, 1829,	8 00
Prince Snow, Jun., Coroner of Suffolk, for sundry inquisitions, to May 30, 1829,	54 75
Wareham Shepard, Coroner of Hampden, for sundry inquisitions, to May 22, 1829,	9 24
<b>Aggregate,</b>	<b>\$147 90</b>

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## MILITARY ACCOUNTS.

MAY, 1829.

### *Court Martial.*

Division Court Martial held at Pittsfield, March 26, 1829.

<b>Members,</b>	Col. Lyman Judd, <i>President</i> ,	6 70
	Lt. Col. Grenville D. Weston,	4 60

<i>Members.</i>	Maj. Daniel Tuttle,	5 40
	Maj. C. J. F. Allen,	4 10
	Capt. Zadock King,	6 90
<i>Marshal,</i>	Adj. Franklin Root,	4 30
<i>Orderly,</i>	Serjt. Thomas A. Smith,	2 32
<i>Judge Adv.</i>	Maj. Wm. Porter, Jun.	9 20
		<hr/>
		\$43 52
<i>Witnesses,</i>	Philo P. Pettibone,	1 64
	Elijah M. Bissel,	54
<i>For Stationary,</i>	William Porter, Jr,	50
<i>Serving Notices,</i>	James Wakefield,	2 00
		<hr/>
		\$48 20

*Court of Enquiry.*

Holden at Rowley, March 12, 1829.

<i>Members,</i>	Maj. Gen. Franklin Gregory, <i>Pres.</i>	58 20
	Brig. Gen. Nathan Heard,	39 50
	Brig. Gen. Charles Rice,	36 30
<i>Marshal,</i>	Lieut. Col. Abraham Williams,	22 00
<i>Judge Adv.</i>	Maj. Caleb Cushing,	53 20
<i>Witnesses,</i>	Benjamin Stickney,	3 12
	Solomon Low,	5 20
	Daniel Moulton,	5 48
	Uriah Bailey,	5 14
	Joseph L. Low,	3 50
	Nathan Brown,	4 00
	William S. Marland,	2 76
	Merrill Pettingell,	3 50
	Amos Tappan,	0 50
	John B. Greely,	0 50
	Otis Little,	2 14
	Nathaniel Pearson, Jun.	0 90
	John Longfellow,	0 58
	William Thurlow,	1 30
	Joseph Goodrich,	1 90
	John O. W. Brown,	0 58
	John B. Savary,	1 80

# MILITARY ACCOUNTS.

205

Daniel Eaton,	1 30
Joseph Danforth,	3 14
Jeremiah Coleman,	1 50
<i>For Stationary, &amp;c.</i> Caleb Cushing,	3 25
<i>Fuel, &amp;c.</i> Richard Trusdell,	3 67

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264 96

<i>Serving Process,</i> Richard Trusdell,	0 90
<i>Attendance, &amp;c.</i> Richard Trusdell,	11 00
<i>Serving Process,</i> Philip Bagley,	10 88
“ “ Moody Bridges,	2 90
“ “ Albert Thompson,	1 50

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\$292 14

## *Brigade Majors.*

Wyman Richardson, to June 6, 1829,	40 00
Elisha Tucker, to Dec. 31, 1828,	40 00
Barker L. Hall, to Dec. 31, 1828,	39 67
John F. Laffargue, to Sept 26, 1828,	0 33

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\$120 00

## *Adjutants.*

Thomas Adams, to July 22, 1828,	21 33
John Towne, to May 21, 1829,	25 00
Israel Longley, to July 28, 1828,	14 44
Emilius Bond, to Dec. 31, 1828,	41 67
Henry Hoyt, to May 28, 1829,	18 75
Peleg Seabury, to July 14, 1828,	13 47
William Stall, to March 3, 1829,	28 17
E. A. Howard, to June 1, 1829,	25 00

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\$187 83

## *Hauling Artillery,*

William Austin, 1828,	24 00
David Taylor, 1828,	10 00



John Porter, 1828,	20 50
George W. Houghton, 1828,	6 00
	<hr/>
	\$60 50
Aggregate of Military Account,	\$708 67

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### AGGREGATE OF ROLL, NO. 101.

JUNE SESSION, 1829.

Expense of State Paupers,	\$22,265 26
Amount of Printers' and Miscellaneous Ac-	
counts,	4,786 21
“ Sheriffs and Coroners,	147 90

*Military Accounts, viz.*

Court Martial,	\$48 20
Court of Enquiry,	292 14
Brigade Majors,	120 00
Hauling Artillery,	60 50
Adjutants,	187 83
	<hr/>
	708 67 — 708 67
	<hr/>
Total.	\$27,908 04

*Resolved,* That there be allowed and paid, out of the Public Treasury, to the several corporations and persons mentioned in this Roll, the sums set against such Corporations' and Persons' names, respectively, amounting in the whole, to the sum of twenty-seven thousand, nine hundred and eight dollars and four cents,

the same being in full discharge of the accounts and demands to which they refer.

*In Senate, June 10, 1829.*—Read twice and passed,  
Sent down for concurrence.

SAMUEL LATHROP, *President.*

*In House of Representatives, June 10, 1829.*—Read twice, and passed in concurrence.

W. B. CALHOUN, *Speaker.*

*June 11, 1829.*

Approved,

LEVI LINCOLN.

**Commonwealth of Massachusetts.**

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SECRETARY'S OFFICE, JULY 23, 1899.

I HEREBY CERTIFY, that I have compared the impression of the Resolves contained in this Pamphlet, with the original Resolves as passed by the Legislature in June last, and find the same to be correctly printed.

EDWARD D. BANGS,

*Secretary of the Commonwealth.*

# INDEX

TO RESOLVES OF MAY AND JUNE SESSION, 1829.

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## A.

Accounts against Commonwealth, to be audited by Treasurer,	185
“ Roll of, No. 101, - - - - -	192
Adjutant General, empowered, with regard to land for a Gun- House in Springfield, - - - - -	183

## B.

Boot, Kirk, and others, petition of, granted, for survey of route for a Rail Road, - - - - -	189
Bristol County, Commissioners of, authorized to issue new war- rant for tax to town of Westport, - -	179
“ “ route for a Rail Road in, to be surveyed, -	189

## C.

Clerks of Senate and House, compensation of, - - -	187
--	-----

County Commissioners for Bristol, authorized to issue new warrant for tax to town of Westport, - - - -	179
--	-----

**E.**

Essex, Treasurer of County of, allowance to, for support of paupers, - - - - -	190
--	-----

**F.**

Fuel, &c. for use of Government, appropriation for, - -	187
---	-----

**G.**

General Court, pay of Members of, provided for, - -	181
Governor's Speech, at beginning of the Session, - - -	163
"    Message, transmitting documents referred to in Speech,	179
"    "    transmitting copies of Greenleaf's Survey of Maine, &c. - - - - -	182

**H**

Holden, Oliver, Executor, authorized to file evidence of sale of certain real estate, - - - - -	184
Hubbard, Samuel, Guardian of Thomas Hancock, empowered to purchase and convey certain real estate, - - -	190

**I.**

Internal Improvements, Copies of Report of Directors, concerning, how further distributed, -	180
"    "    route for Rail Road from Lowell to Boston, to be surveyed, - -	189
"    "    route for Rail Road in Bristol County, to be surveyed, - - - -	189

**K.**

Kuhn, Jacob, Messinger to General Court, pay of, provided for,	188
--	-----

# INDEX.

iii

## L.

<b>Low, John V. assistant Messenger to Governor and Council, pay of, provided for,</b>	- - - - -	188
<b>Luce, Elisha, authorized to build wharf in Rochester,</b>	- -	184

## M.

<b>Members of Council, Senate and House, pay of, provided for,</b>		181
<b>Message of Governor, transmitting documents referred to in</b>		
<b>Speech,</b>	- - - - -	179
<b>" " transmitting Copies of Greenleaf's Survey of Maine, &amp;c.</b>	- - -	182
<b>Messenger of General Court, grant to, to purchase fuel, &amp;c. for government,</b>	- - - - -	187

## P.

<b>Prison Discipline Society, Fourth Annual Report of, to be purchased for the Legislature,</b>	- - - - -	183
---	-----------	-----

## R.

<b>Rail Road, from Lowell to Boston, route of, to be surveyed,</b>		189
<b>" " from Taunton, to route between Boston and Providence, survey to be made,</b>	- - - - -	189
<b>Rail Roads, Reports of Directors of Internal Improvements concerning, how further distributed,</b>	- - - - -	180
<b>Roll of Accounts, No. 101,</b>	- - - - -	192

## S.

<b>Secretary of Commonwealth, authorized to purchase Report of</b>		
<b>Prison Discipline Society,</b>	- - - - -	183
<b>Speech of Governor, to Senate and House,</b>	- - -	163
<b>Staples Nathaniel, appointed Guardian of Benjamin Simon, an</b>		
<b>Indian,</b>	- - - - -	186
<b>State Prison, appropriation for,</b>	- - - - -	186

**T.**

Treasurer of Commonwealth, authorized to borrow money,	181
"      "      "      required to audit certain accounts	
against the Commonwealth,	185

**W.**

Warriner, Solomon, and others, petition of, granted, with regard	
to land for a Gun-House in Springfield,      -      -      -	183
Westport, town of, new warrant for tax to be issued to,      -	179
Wharf in Rochester, may be built by Elisha Luce,      -      -	184

# RESOLVES

OF

## THE GENERAL COURT

OF THE

### Commonwealth of Massachusetts,

PASSED AT THEIR SESSION,

WHICH COMMENCED ON WEDNESDAY, THE SIXTH OF JANUARY,  
AND ENDED ON SATURDAY, THE THIRTEENTH OF MARCH,  
ONE THOUSAND EIGHT HUNDRED AND THIRTY.

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*Published agreeably to a Resolve of the 16th January, 1812.*

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**Boston;**

DUTTON AND WENTWORTH, PRINTERS TO THE STATE.

.....

1830.



John J. ...  
...

**RESOLVES**  
OF  
**THE GENERAL COURT**  
OF THE  
**COMMONWEALTH OF MASSACHUSETTS,**  
PASSED AT THEIR SESSION,  
WHICH COMMENCED ON WEDNESDAY, THE SIXTH OF JANUARY, AND  
ENDED ON SATURDAY, THE THIRTEENTH OF MARCH, ONE  
THOUSAND EIGHT HUNDRED AND THIRTY.

**GOVERNOR'S MESSAGE.**

*His Excellency the Governor sent down from the Council Chamber, by the Secretary of the Commonwealth, to the Senate and House of Representatives, the following*

**MESSAGE:**

*Gentlemen of the Senate,  
and of the House of Representatives :*

I offer you my congratulations, that, by the favour of that protecting and overruling Providence which disposes of the affairs of communities as of individuals, the members of the Legislative Department of the Government are permitted to reassemble, and may now resume, under circumstances auspicious of the promotion of the public good, the discharge of the important

and responsible duties, upon which they entered, at the commencement of the political year. A more favorable period for a distinct understanding of the sentiments of the whole people, through the universality of their representation, for calm discussion, and for deliberate and satisfactory decision upon all subjects of interest to the Commonwealth, has rarely, if ever, been enjoyed. Whatever of sensibility may have been manifested, during the recess, to measures either adopted or anticipated elsewhere, it is most certain, that a spirit of candid inquiry alone has occupied the public mind, in reference to objects, exclusively of State concern. There has been uncommon freedom from the excitement of local feeling and the conflicts of partial and opposing interests. A desire for investigation, and a pursuit of knowledge applicable to the business and the improvement of the condition of society, eminently mark the temper of the times. The delegation, having been originally constituted with entire disregard to those distinctions of party arrangement, the season and the causes for which have long since ceased together, or which do not arise from principle, the people have reposed upon the virtue and intelligence of their Representatives, to fulfil the dictates of disinterested duty, and to accomplish purposes only which are worthy of a patriotic regard. May it be your happiness, Gentlemen, to justify this generous confidence, and in whatever degree it may be permitted to me to participate with you in the labors of the session, I shall strive to manifest that fidelity, which the obligations of office, and gratitude for distinguished and unmerited honors, demand.

The unfinished and referred business of the last session will naturally engage your earliest attention. It is not for the Executive, importunately, to urge the influ-

ence of personal sentiment upon a co-ordinate department of the government. That measure of duty may already have been discharged, which consists in a distinct and responsible avowal of official opinion, and a respectful recommendation to legislative action. Yet, until decisions are had, it will not be deemed indecorous, and existing circumstances may render it proper, to recur to important subjects of previous discussion. Of the matters of prominent concern, that of the Railways will press with almost engrossing interest. With a reference, therefore, to former communications to the Legislature, and especially to that which I had the honor to address to your consideration at the commencement of the political year, for the general views which I continue, confidently, to entertain, of the interest of the State, in the effectual encouragement of those enterprises which are adapted to facilitate intercommunication, and relieve the community from the excessive expense and tedious labor of the present mode of land transportation, I beg leave to repeat the recommendation, that some decisive measures should promptly be taken to give to the Country, at no distant day, such improvement. A cautious but faithful policy has hitherto wisely required time for investigation. It was manifestly proper, that diligent and critical inquiry, into the character of schemes of novel experiment, should first satisfy the minds of those, who were appealed to for their sanction in adopting them. A reasonable opportunity, it would seem, has now been allowed for this purpose. The country has been explored; surveys have been returned; plans of construction and estimates of expense submitted, upon all the routes which have been proposed for the public accommodation; and the enterprising and liberal spirit of individuals, and of

voluntary associations of citizens, have added to the means of intelligence, which the Government have employed, until a mass of testimony has been furnished to the occasion and the advantages of Rail Roads, which, if it fails to unite all in designating the preferable courses for their location, will yet induce, in every one, a desire for their enjoyment. The astonishing results of recent scientific experiments in Europe, in the application of Steam to produce a moving power, by which time, and distance, and weight, are alike overcome, to a degree almost incredible, may well inspire a confidence in this manner of conveyance, which neither the incredulity of the timid, nor the obstinacy of the prejudiced, can longer resist. It has been said, with probable correctness, that the newly invented Steam Carriages, which are designed for use between Manchester and Liverpool, will bring those places, though more than thirty miles remote from each other, nearer together, in a social and commercial point of view, than the extremes of London now are. The expense of travelling by them; it is calculated, will be reduced three fourths, and the time two thirds, while the accommodation to the passenger is far superior to that afforded by Stage Coaches. The saving of cost in the transportation of heavy merchandize is estimated to be even still greater. The progress too which has been made in our own country, in the execution of those stupendous works in which several of the States are engaged, has evinced, that there are few obstacles in nature too formidable for a persevering industry and labor successfully to remove. Surely, after the experience which has been had, no well-informed man will question the practicability of laying Rail Roads over the roughest places of our Commonwealth, nor will any be found to deny their

advantages, if means can but well be provided for their accomplishment.

This is truly the point of greatest difficulty. The declension of important branches of business, and the general pressure of personal embarrassment, it may justly be feared, will discourage individual subscriptions to these objects, and there can be little hope that, except upon short routes, and for the advancement of local purposes, any road will, at present, be undertaken, without a pledge of pecuniary aid from the Government. Large disbursements will be required, to execute either of the projects which are now before the public, and, however strong may be the promise of eventual remuneration from indirect and consequential benefits to the community, Capitalists have been too often and too seriously admonished, that even the greatest public improvement is not always an assurance of private profit, to be induced, on their own account and risk exclusively, to make the necessary investments. There should be no false anticipations on this subject. If it is deemed, by the Legislature, of importance to the prosperity of the State, either as a means of increasing trade or preserving what is now enjoyed, of encouraging a more dense population or furnishing employment to that which may remain, of giving greater relative influence to our political condition or securing its present weight, of advancing the arts, diffusing the blessings of knowledge, and multiplying the sources of social happiness, that improved modes of communication between the Capital of this and other States, and through different sections of the interior of our own State, should speedily be possessed, the assistance of the Government, *in some manner and to some extent*, in aid of individual enterprise and exertion, must be given to the work. I hesi-

tate not to say that, without this, nothing of moment will be seasonably accomplished. Neither a Rail Road to Providence, nor Albany, nor even that more recently proposed to Brattleborough, which, from the geography, population, and business of that section of the country, must be of great public advantage, can be executed, until a period, when, from the want of these accommodations in the intermediate time, the strongest inducements to their construction will be gone from us forever. I am not unaware of the difficulty to the Legislature of deciding upon this question of appropriation. Much responsibility attaches here. But true moral courage never shrinks before the requirements of duty. Whatever may be that responsibility, it is at some time to be encountered, not indeed lightly, not in haste, nor without ample opportunities for inquiry, but upon the result of deliberate investigation, and with the conviction, that whenever the interest of the Community demands a measure, the approbation of an enlightened people will not be withheld from those, who faithfully, consistently, and steadily, pursue it.

If the general depression of business, and the peculiar and unusual pecuniary embarrassments of individuals, throughout the country, be objected to proceeding at the present time, it may be satisfactorily answered, that it is to revive the spirit of enterprise, to give employment to labor, to restore trade, and open new sources of profit and of wealth, that these works should now be undertaken. The creation of stock upon the faith of the State, to such amount as the Commonwealth may be interested, eventually redeemable, as it doubtless would be, from the income and advantages of the improvements, will occasion no direct tax upon the people, beyond the accruing interest, and to this, even,

might be applied the proceeds of the sales of the public lands, and other contingent payments into the Treasury.

In relation to a Rail Road from Boston to the Hudson River, it is truly a work of great National importance; and whenever it shall be determined upon, the aid of the General Government may reasonably and confidently be solicited. There is wanting but this single link to complete the long chain of inland communication from our Eastern Atlantic Seaboard to the Western Lakes, by which, and through channels, already, or soon to be opened, the means of protection and defence, in time of war, may uninterruptedly, and with safety, economy, and dispatch, be conveyed to almost every assailable point of our widely extended country. In this respect, it scarcely yields in interest to any of those great public works, to which the nation has heretofore, with almost profuse liberality, contributed. It has been computed, that the direct saving of money which would have been effected in the transportation of merchandize, and of men and munitions, between Boston and Albany, in a single year of the last war, by the use of a Rail Road, would have defrayed one third the whole expense of its construction. To this may be added the certainty and celerity which would have been given to military operations, and what is far more worthy of consideration, the waste of strength and loss of life, for want of seasonable supplies or other relief, which would have been prevented.

Pursuant to a Resolve of the 11th of June last, a skilful and experienced Engineer was appointed to make a survey of a Route for a Rail Road from the Town of Lowell to the City of Boston. The Survey has been completed, and the Report of the Engineer, with an



accompanying Map and Estimates of the expense of constructing the work, as required by the Resolve, are daily expected.

The Commissioners of Internal Improvements, who, under a Resolve of the 12th of June last, were charged with a survey of a Route from Taunton to some point on the Route previously surveyed between Boston and Providence, have performed that service, and their Report, returned to the Governor and Council, is transmitted with this communication. The Survey was carried from a point of divergence in Canton, on the Eastern line of Surveys heretofore made between Boston and Providence, by two Routes, to Wier Bridge Landing in Taunton. The whole distance, from Front Street in Boston to Taunton Landing, by either Route, in connexion with the part included in the former Surveys, was found to be nearly the same, and but little to exceed thirty five miles. Both Routes are represented, by the Commissioners, to be not only practicable for a Rail Road, but to present great facilities, in the character of the ground, for the accomplishment of the work.

Such information, on the general subject of Rail Roads, in the manner of their construction, their use and advantages, as has been obtained by the Directors of Internal Improvement, in obedience to an order of both branches of the Legislature, at the last Session, will be submitted to you, in a distinct Report from that Board.

The period seems to have arrived, when the claims of more than Fifty Thousand of our Fellow Citizens to be relieved from unequal and onerous burdens, under the present Militia Laws of the Commonwealth, will not admit of further postponement. The complaints on this subject are continually becoming louder and more

frequent. An official connexion with this department, for nearly five years, has satisfied me, that the present system cannot continue to be administered against the prevailing tone of public sentiment. We are daily departing, further and further, from the spirit of military subordination, which the discipline and dangers of war induced, and as there is less occasion for the readiness of preparation for service, so there is less inclination, in the subjects of enrolment, to yield to the mandate which requires it. There are frequent attempts to evade the obligations of law, and occasional manifestations of a disposition to bring reproach and ridicule upon those who execute its provisions. A militia system, however, of a modified and improved character, better adapted to the feelings of the people, and conformed to the original design of the institution, can never, with safety, it is believed, be dispensed with. In all periods of the world, and under every form of government, an organized physical force, of some description, has been found necessary for the maintenance of internal quiet, and for protection from external danger. It is to the political, what the right arm is to the natural body, an assurance of security from outrage, in the very ability effectually to repel and to chastise it. The Founders of our Republic, gathering wisdom from their own experience, as well as from the pages of history, declared it to be a fundamental principle of free government, that a well organized Militia was essential to the preservation of National Independence. The Institution was the breast-work of Liberty, in the War of the Revolution, and it has proved an impregnable fortress for its defence, ever since. It has been resorted to, on several occasions, to enforce an execution of the laws, and, in two instances, has quelled open rebellion.

How far the knowledge, by the Nations of Europe, that more than one tenth of our whole free population are annually marshalled and trained to arms, as a constant preparation for resistance to invasion, may have a tendency to preserve peace to the Country, cannot be determined, until by disbanding and disarming a Citizen Soldiery, our improvidence and weakness shall invite aggression. As a Citizen of Massachusetts, I would cherish the Militia, for the moral and political influence which it gives to the State. The strength of an embodied patriotic and hardy Yeomanry, capable of vindicating their own rights, or aiding in the support of the rights of others, cannot but be referred to, when estimating the relative weight of different sections of the Union ;—and if ever a mad scheme of division and dismemberment shall be seriously contemplated, the power which may defeat it by resistance, or, in submitting, leave the means of self protection with a dissevered part, will not fail to be respected.

A proposition, which sometimes has been made, to dispense by law, with all military parade, instead of amending the system, would utterly destroy the institution. Organization could no longer be maintained. No one would be found to accept an office of merely nominal command, a mockery of title, in a parchment authority over a Muster Roll of names only. Besides, the paramount laws of the United States, on this subject, would be violated, or evaded in all their provisions, by the effects of such State Legislation. The arrangement of the Militia, required by these statutes, into Divisions, and distinctions of minor corps, would soon be destroyed, and the obligations of enrolment and equipment, instruction in tactics, inspections, and returns, cease to be performed. Without officers com-

missioned to every grade of command, military order can never be preserved, nor involuntary service compelled.

The essential alterations, in accordance with the laws of the United States, which have occurred to me, as promising to equalize, in the most satisfactory manner, the still necessary burdens of militia service, and remove the strongest objections to the present system, are, to increase the penalties for neglect of duty, to such extent, as better to enforce the obligations to its personal performance in the Train Bands, by those of whom it is required; to extend conditional exemption to minors and enrolled persons above the age of thirty; and to repeal, altogether, the provision for the payment of money as part of the condition of exemption. This exaction operates with great injustice, and has been a fruitful source of disaffection. While the sum required, is, in itself, no equivalent to the time and expense of military duty, and to the man of wealth is of little consideration, to the poor man it often happens, that the want of money, at the prescribed period for its payment, leaves no alternative to the obligation of personal service.

The principles of these amendments, simple in their explanation, but of important consequences in the details of their application to the existing system, would render necessary a reorganization of the corps of the Militia, by consolidating its present subdivisions, and enlarging their territorial limits. In this manner, Companies might be increased to efficient numbers, and many supernumerary and unnecessary officers discharged. There would then be greater distinction given to command, higher responsibilities would be felt in its dis-

charge, and spirit and a new energy infused into the whole military body.

One provision more, above all others, is demanded ;—a prohibition, under severe penalties to officers, to treat with ardent spirits, on days of military duty, and to candidates for office to do this, either pending or after an election. This latter practice is, indeed, a species of bribery, and is attended with the most pernicious influences. It occasions heavy and wasteful expense, and has deterred many excellent men and well qualified soldiers from accepting commissions, while, in some instances, it has induced to unworthy preferments to office. Most of the complaints against the institution, from its tendency to lead the young to indulgence, and produce habits of dissipation, have their origin in the custom of furnishing unnecessary and exciting refreshments on public occasions ;—a custom which is no less subversive of military subordination than prejudicial to the morals of the community, and which a true regard for the welfare of the militia, equally with a respect for the peace, good order and happiness of society, requires should be effectually repressed.

The Reports made to the Executive by the Officers of the State Prison, show, that the Institution is, at length, brought into that condition of improvement and capacity for future management, which have been anticipated with deep interest and solicitude by the Government and People of the Commonwealth. The new Prison Building was completed in October last, and the Convicts were immediately removed to the occupation of it. A more steady and strict discipline was introduced, and the experiment has commenced, of the effect of entire solitude in confinement, by night, and silence and constant inspection at labor, by day. All communi-

cation by the Convicts with each other, and by the Officers with them, except for purposes of authority or instruction, is now prohibited. Intercourse, by conversation or correspondence with friends, or other persons, from without, is not permitted. They are no longer indulged in idleness and relaxation in the yard. Both stint and overstint are abolished, and incessant labor in the hours for employment is required. By the erection and arrangements of a new Cookery, connected with the Prison Building, the food of each individual is furnished to him separately, and he is required to eat it, in the stillness and solitude of his cell. No moment of opportunity is afforded for acquaintance or association. Thus the Convicts are constantly kept, either in entire seclusion from each other, or under the vigilant watch of their Officers. Their only alternation is from their prison house of cells to their workshops, for labour, and from the workshops, for refreshment, by food or sleep, back to their cells again. Here no voice, save that of pious exhortation, reaches them. Each man is in silence and by himself. The mind finds subjects for occupation but in its own communings, and in bitter regrets; and from the poignancy of these, religious books, and the Chaplain's offices of devotion, are the only sources of relief. The change cannot but be most striking and influential. Heretofore, the Convicts were in association in labour, without discrimination of character or classes, and were allured to obedience and industry, by excessive allowances for work of overstint. They were in companies by night, left to idle and vicious intercourse, to contrivances of mischief, and the ingenious device and practice of games and tricks for amusement. They partook of their food together, and in the society of a Commons Hall found the sympathy of fellowship

and the feelings of a kindred nature. The old and the young, the hardened veteran and the novice in crime, promiscuously mingled together, and acquaintance, contamination, and familiarity with schemes and tales of villainy, sunk all to the same depth in depravity and corruption of heart. The reverse of all this is now their condition, and the good effects of the new police are already sensibly experienced. The fierce temper has been subdued. The spirit of obduracy and of unyielding defiance to authority has been softened, and mildness, submission, patient endurance of increased restraint, and a willing performance of required service are manifested. If a separation from bad associates, the strictest sobriety of deportment, regular and industrious occupation, with the advantages of impressive moral and religious instruction, can produce reformation in offenders, it may now be hoped for, under the excellent arrangements, and with the faithful Officers of this improved Penitentiary.

It was not to have been expected, that, during the work of erecting the new Prison, and the extensive alterations and repairs which have been going on, in and about the Establishment, and to which the labour of the convicts has been in a great measure applied, the financial operations of the Institution would be improved. The interruption of regular systematic employment necessarily occasions loss, and the want of accommodation for engagements in different and more profitable branches of business, than heretofore had been pursued, has prevented change. The Warden is now seeking other and better means of productive occupation for the convicts, and there is reason to expect, that the Prison, after the expenses already incurred are paid, will cease to be a charge upon the Treasury, and may

be made, ultimately, to reimburse some part of the cost, which it has hitherto occasioned. The annual statement of accounts, made up to the first of October last, exhibits a balance of expense for the year, in the support and government of the convicts, beyond their earnings, of \$8,396 43. This deficit has continued to result, in some degree, from the depreciation of the value of stock previously on hand, and the diminished demand and reduced price for work in stone. The balance, however, is less, by almost *Four Thousand Dollars*, than that of the accounts of the preceding year. There will be found, in the several communications of the Warden, many important suggestions of further improvements in the Institution, which I recommend to your consideration. The Physician, also, has proposed changes in the conduct of his Department, the occasion for which he has particularly explained in his Report.

The interest of the Commonwealth in the public lands in Maine continues to be satisfactorily and advantageously managed by the Agent of the Government. The sales of land and timber, the last year, have amounted to \$21,129 29, for which the Agent has accounted with the Treasury. Depredations, which heretofore were so common and destructive of the property, have, in a great measure, been prevented, and but little injury is now suffered from irresponsible and lawless trespassers. By the construction of Roads from the Kennebec to Canada, and from the Penobscot to Houlton, which are in progress, additional tracts of excellent land will soon be opened for settlement, and those remote districts, greatly enhanced in value, be brought into the market.

It has been represented to me, from sources of intelligence entitled to great respect, that the laws of the Commonwealth, which relate to the Survey of Lumber,



operate with much prejudice to our trade with the State of Maine. Previous to the separation, a survey of lumber in either of the towns of the then District, by the proper officer, would allow of the importation and consumption of it here, or its exportation abroad, without further inspection. But, by the Act of Separation, this application of the law to that part of the country, ceased, and lumber afterwards brought from Maine, became subject to the occasion and cost of survey in our ports. The inconveniences and loss to dealers in the commodity, which are thus incurred, have been much complained of, and induce, as it is said, to no inconsiderable diversion of the trade to other places. The business is of vast importance to this Commonwealth. By far the greater part of the boards, plank, joist and building timber, used in our Commercial Towns, and nearly all exported thence to foreign countries, is first obtained from the State of Maine. We have also the advantage of furnishing supplies of merchandize in return. What measures, if any, are necessary for the preservation of this hitherto extensive and profitable traffic, the Legislature will decide. As regard to the benefits which result from cultivating the mutual relations and interests of States, which have long and happily been connected with each other, will not fail to secure to the subject a proper consideration.

The annual accounts of the State Treasury, made up to the 1st instant, present a result similar to that of several preceding years, in a deficit of the ordinary revenue to meet the expenditures of the government. The receipts, exclusive of money obtained upon loans, amount to \$262,944 81, and the payments to \$293,942 45;—producing an excess of the latter over the former, of \$30,997 64. It should be recollected, however, that

the tax of 75,000 dollars, granted by this Legislature, at the June Session, was not made available to the Treasury, during the past year. It becomes due in April, and will constitute a large item of credit in the next annual account. The debt of the Commonwealth, still owing to the banks, is \$107,300, and it is obvious, from comparing the usual expenses of the government with the sources of income, that to prevent its accumulation, an annual tax, of moderate amount, will continue to be required. Had the recent grant been included with the credits of the last account, a balance of debt, not exceeding sixty thousand dollars, would have remained. Gradually to extinguish this obligation, and to have the command, at all times, of adequate means to the exigences of the State, without an inconvenient and discreditable recourse to loans, must be the desire of every discreet and sound politician. The expediency of improving the more leisure opportunity of the present time, for arranging a Tax Bill for the ensuing year, rather than of postponing the service to the hurried engagements of a summer session, is recommended to your consideration. Neither the amount, nor period for collection, need be affected by the measure, while some disadvantages which are complained of by the community, in the assessment of a grant in the advance of the season, may be avoided.

In anticipating any future occasion of extraordinary expense to the Commonwealth, with a view to its financial requirements, it may be useful to recur to some of the principal causes of charge, which are already removed. Within the last five years, the repairs and improvements upon and around the State House, rendered necessary by the decaying and dilapidated condition of the walls of the building, and of the falling fences, have

exceeded 30,000 dollars. The new Prison at Charlestown, with alterations and additions made at that Institution, within the like period, have been constructed, at a cost to the government, either directly by drafts on the treasury, or by an application of the earnings of the convicts, of more than 80,000 dollars. The aggregate of these items, alone, is greater than the present debt of the Commonwealth. The necessity of any considerable expense, upon the same objects, will not again, for a long time, occur; and the difference which will thus be produced in the expenditures, with the operation of an annual tax of 75,000 dollars in aid of the revenue, will be sufficient, besides gradually diminishing the debt, to meet all probable contingencies, and allow of continued contributions to important general purposes.

The melancholy experience of the past year has put to the test the policy of the Laws of the Commonwealth, in relation to Manufacturing Corporations. The worst effect which had been anticipated from these statutes, was, that capital would thereby be driven for investment in manufactures, *without* the State, but they have been found to work a far greater mischief than this, *within*. The spirit of enterprise and confidence, unheeding the threatening provisions of the laws, induced to extensive engagements in manufacturing establishments, which have been followed by wide spreading and irretrievable ruin to individuals. Proprietorship is attended with overwhelming responsibilities. The amount of private interest measures no degrees of personal liability, short of the whole debt of the Corporation, and instances, numerous and distressing, are presented, of fortunes made bankrupt, and families suddenly and unexpectedly reduced to poverty and wretchedness, as a consequence of the most inconsiderable contributions to manufactur-

ing capital. That there has been much imprudence and profusion in the management of such establishments, will not be questioned, but the fluctuations of trade, the general stagnation of business, competition with the forced sales of foreign goods in glutted markets, together with the very character of the credit which the laws create, have greatly conduced to their disasters.

In the present state of things, the credit of corporations and stockholders is equally destroyed, and, for all the purposes of trade, the whole capital invested in manufactures is lost. So universal has become the distrust of this species of property, from the unlimited and tremendous responsibilities which attend its possession, that it has almost ceased to be transferable in the market, upon any consideration. It will neither command the accommodation of a loan, nor be received in payment of a debt. The mutuality of obligation, between the corporation and the stockholder, is alike prejudicial to the security which either might otherwise furnish. The stock of the corporation is discredited and depreciated, because it attaches personal liabilities to proprietors, and the personal credit of proprietors is distrusted in turn, because of their stock in corporations. The extent of the injury, which the practical application of this principle of private responsibility is producing, is truly alarming, while all the purposes, for which it was imposed, are like to be defeated. The professed design was to secure the credit of corporations, by enforcing the payment of their debts; the effect is to impair that confidence in property, upon which alone credit can be obtained. The business of manufactures requires, for its successful prosecution, the employment of large capital. The contributions of many individuals are nec-

essary to the creation of the fund. But men, with the admonitions they have had, will no longer consent, for the chance of profit upon a share in a concern, to put their whole property at the hazard of circumstances, which they neither can foresee, nor over which they can have any control. If no limitation of liability is hereafter to protect them from danger of loss in corporations, beyond their respective proportions in the stock, their engagements in them will cease, and the manufacturing interest, to a great extent, must be abandoned in Massachusetts.

If the foregoing be not altogether a mistaken view of the subject, there is occasion for some new measures of legislation to preserve our existing manufactures. Their importance to the prosperity of the Commonwealth is too obvious to be disregarded. They have become intimately connected with the other great interests of society, and largely enter into all the occupations of the citizens. The MECHANIC ARTS are their auxiliaries, and derive from them their best employments and highest rewards. Turn back upon *Husbandry* the thousands of hands now busied in the operations of machinery, upon the waterfalls of Massachusetts, and, in the superabundance of the articles of subsistence which they would produce, AGRICULTURE would languish. Drive from us this same population, and consequences still more disastrous would ensue. The workshops of the interior, where mechanics and manufacturers are gathered in thick settlements together, furnish the best markets for agricultural products. For many articles, they are the only markets. Provisions, and the perishable commodities which tillage produces, but produces only with profit in the neighborhood of dense population, find here a ready demand. The fresh villages of

New England, with her fruitful fields of recent cultivation, witness to the advantages which flow from manufactures. These had not otherwise existed, brightening every prospect, and full of the promise of still further improvement.

A practice has grown up in the Commonwealth, in the voluntary assignment by insolvent debtors of the whole of their property to preferred and favored creditors, which, from the injustice it often occasions, and the abuses attending it, requires to be presented to the consideration of the Legislature. It is not the worst feature of the arrangement, that it distributes, unequally, to a few and often those least entitled, that fund, which is the equal right of many, but it is the more objectionable, that, by a secret confidence between individuals, it is made to sustain a false credit, and enable a debtor, long after he ceases to be solvent, to continue his business, and more deeply affect, by his ultimate failure, the fortunes of others. It certainly is no unusual observation, that, upon a general assignment, by an insolvent, his whole property is found in the hands of those who have given him trust, upon the sole reliance, that whenever there might be occasion, their security should seasonably be provided for. A very common sentiment, that sureties upon accommodation paper are entitled to this precedence, favors the practice, and greatly aggravates the evils which result from it. By reason of the money which, upon this confidence, can be obtained, the personal ability of men can no longer be determined, by their ostensible situation. It enables them to exhibit a fictitious capital upon which to trade, and to gain credit from the possession of the property of others, to which their own responsibility would not entitle them.

Of like pernicious tendency are secret pledges of personal property, while the possession remains with the original owner. By the opportunity for management which such arrangement affords, the only obvious index of the right to chattels is destroyed, and unless the law shall interpose, it will soon cease to be any criterion, by which to judge of the trustworthiness of a tradesman, that his shop is filled with merchandize, or of a husbandman, that his fields are stocked with cattle, or of a householder, that he has ample furniture and stores of goods in his habitation. This appearance of one thing and reality of another has, in some instances, led to the grossest impositions. A mortgagor, who seeks further credit, may conceal the true state of his property, and a stranger to a subsisting pledge, trusting to a second lien, will be defeated of his plighted security. Officers of the law, in the execution of civil process, are greatly embarrassed, and sometimes betrayed into serious difficulties, by the situation of property in the hands of debtors. Distrust and caution may either induce them to suffer it improperly to escape attachment, or confidence in seizing it, involve them in litigation. While the smallest portions of real estate cannot be secured to the absolute proprietor without a registered notice of title, it cannot but appear strange, that goods, to any amount, may be safely held in pledge, upon a mere bargain of assignment, against every visible badge of ownership.

It is submitted to the wisdom of the Legislature, as matter of increasing concern, that, upon a contract of conditional transfer of goods and chattels, a public notification of the fact, or an actual delivery over and continued possession of the property, should be required, to render a mortgage effectual.

In connexion with the revision of laws which relate to the property of insolvents, those which respect their persons do not less require examination. The claims of humanity have long urged the abolishment of imprisonment for debt, and I cannot but recommend, that the rigor of the statutes should, at least, be ameliorated, in this particular. The most diligent and exact inquiry has shown, that but little effect in enforcing the payment of money is produced, by confining the persons of debtors. Whatever decided advantage, in this respect, is experienced, proceeds from a dread of imprisonment, which induces to the honest application of means, and faithful efforts to avoid it. This is the true and only purpose of the law, and any degree of severity beyond what is necessary to accomplish it, should be dispensed with. If it was permitted to a debtor, when arrested on execution, instead of being taken to prison, to give bail for his surrender at the prison house, within a prescribed time, there to be subjected to an examination, on oath, respecting his ability and property, and to be committed to close custody, if he should be found to have practised fraud, or voluntarily to delay his creditor, the ends of justice might be as well secured as under the present course of procedure, and the dictates of benevolence and sympathy and the rights of humanity would be reasonably satisfied. The general state of embarrassment which now exists, and the increased number of unfortunate men who are suffering from the most unlooked for occasions of calamity, urge, with redoubled influence, at the present time, to the proposed, or some better modification of the statutes.

The liberality of the appropriation made by the government for the education of the Deaf and Dumb, and the discretionary authority vested in the Executive over



its application, render it proper that the Legislature should be advised, from time to time, of the measures which are pursued, in administering this interesting charity. For this purpose, a statement has been prepared by the Secretary of State, at my request, which, in connexion with the published Reports, will exhibit to you, in detail, its cheering results. By the Resolves of the 7th of February last, the former provisions for instruction in the Asylum at Hartford, were renewed and extended, and the appropriation was increased to the sum of \$6,500 annually. Although every degree of publicity has been given to this munificent act, accompanied with a solicitation to the friends of persons who were within the intention of the bounty, to present them for admission to its benefits, yet but *nine* applications have been preferred during the year. The number being so unexpectedly small, upon the recommendation of the Faculty of the Institution, twenty-three of the class whose term was about to expire, and who were most distinguished for talents and proficiency in acquirements, were permitted to remain another year. The whole number now at the Asylum, on the charge of the State, is *forty five*; less, by *eleven*, than might be supported under the appropriation. There is good reason, from many circumstances, to believe, that when these shall have completed their course of pupilage, the whole deaf and dumb of the Commonwealth, of suitable age and capacity to be taught, will be educated. The average number of new pupils, annually, will not probably exceed from five to seven. Massachusetts may well boast that she provides means of instruction for all her children.

I have felt it a duty, on repeated occasions, heretofore, and it is not the less imperatively required of me at the present time, to invite with earnestness the at-

tention of the Legislature to the situation of the Claim of Massachusetts upon the General Government, for Militia services during the last war. Whether the magnitude of the debt, now amounting, with interest, to more than a *million and a half of dollars*, or the character of the State, involved in the objections which have been made to its payment, be regarded, it is equally important that the subject should be speedily and finally disposed of. Nearly fifteen years have now elapsed since this demand was first exhibited to the Executive of the Nation, while we have been constantly seeking, and, with an acquiescence and submission scarcely consistent with the maintenance of our rights, patiently waiting the justice of its allowance. The sudden and extraordinary reference of it to the disposition of Congress, left nothing subsequently to be accomplished with the Executive Government. It has since been made a matter of occasional attention in the House of Representatives, but except in a Report from the Secretary of War, by which a classification of the services is exhibited, and the evidence to the different charges in the account arranged according to its application in their support, no apparent advance has been made towards a final adjustment. The case, in all its circumstances, remains precisely where it was left by the Secretary's Report, during the first session of the last Congress, and where, it may well be feared, it will long continue to be, unless a more audible tone shall be raised to demand its decision. When the character of this claim shall come to be understood, there will not fail to be an universal sentiment of surprise, at the injustice of the delay which has been suffered. While it will then appear, that all the services of the Militia were in the common defence, a portion of them will be presented with distinguished

claims to the nation's gratitude. Even the protection afforded to the navy yard in our harbour, and to the flag of the Union, floating from the armed ships which were moored there, and this at the special instance of an officer of the United States, is among the unrequited items of the service. Of the same character was the defence of the seaboard, and of the harbours along the coast, and of the mouths of rivers, by the faithful citizens of Massachusetts, and their patriotic brethren of Maine. There is, indeed, much reason to complain of the treatment which the subject has experienced. Our Delegates in Congress have not ceased to urge to its investigation. They have pressed for a discussion upon the merits, knowing that prejudice must yield to correct information, and that it was only necessary that facts and explanations should be listened to, to disarm opposition. Their efforts have been hitherto unavailing, and it seems time to inquire, if a direct appeal from the State, in its sovereignty, may not be made more effectual to the vindication of its interest and honor. This measure was recommended to the Legislature of the last year. The reasons then offered for its adoption, with the additional one of the subsequent delay, together with the consideration, that a limited session of Congress will not exclude ample opportunity, at this time, for inquiry and debate, again induce me respectfully to repeat the recommendation. The printed documents, and manuscript copies of correspondence, and whatever other papers refer to the subject, or may explain the proceedings which have at any time been had in its management, are upon the files of each branch of the Legislature, leaving nothing further, with the Executive, to be communicated.

It gives me unfeigned pleasure to refer to the late able

exposition of our public concerns, by the President of the United States. It exhibits the proud eminence to which our Country has advanced in the rank of Nations. We take a deep interest, too, in the avowal of the principles of political action which shall direct the administration of our national affairs. The powers which have been conceded to the general government, though greatly restricted, may yet be so exercised, as to affect, with no inconsiderable influence, the domestic relations of the several States, even if they produce no conflict of jurisdiction upon subjects within their reserved and exclusive sovereignty. It is satisfactory therefore, to receive a pledge from the Chief Magistrate of the Union, on the threshold of office, which respects the will and authority of the People as the source of power, refers to written constitutions of government to define the extent to which it has been delegated, regards the promotion of the common good as the legitimate purpose of its exercise, and the security of the equal rights of all, social order, and the peace, integrity, and happiness of the Confederate Nation, as the only ends for its attainment. These are the dictates of pure and elevated republican sentiment, and happy will the Nation be, if they shall continue, as they have done heretofore, to constitute the motives and regulate the conduct of those to whom are committed, by a free People, the management of their dearest interests.

Nor is it without peculiar gratification, that there is seen, in the expressed opinions of the President, a distinct approval of that system of policy, which extends protection and encouragement to the domestic industry of the country, and gives aid to objects of internal improvement. It is of subordinate consideration, by whose instrumentality the government is administered, so that

thereby the public welfare is promoted. And if, at any time, the enlightened, the patriotic, and the faithful, who have disinterestedly and devotedly served the Nation, are obliged to retire before the prejudice which distorts, and the wilfulness which misrepresents both the character and the consequences of their measures, it is the highest relief to witness, in those who succeed to their places, a disposition to sustain their counsels, and to follow their footsteps, in the pathway of political wisdom and duty. While, therefore, as Citizens of the Republic, we glory, in that the condition of the country warrants the glowing picture of prosperity and grandeur which is displayed before us, as constituents of the government we are not to be unmindful, that it is the result of the virtue of the People, and of the fidelity of those who were their agents in times which are past. The present administration do not now exhibit trophies of their own acquirement, but the extent and value of the rich treasure of blessings accumulated by illustrious predecessors, and committed to their keeping. A jealous People will note the number of these talents, and justly demand a corresponding account of their stewardship.

In approving, generally, of the sentiments expressed in the Message, neither consistency nor candor require an assent to all the propositions which it contains. There are, indeed, matters to be found there, about which there may yet be somewhat more than mere speculative differences of opinion. The Constitution may be amended in the manner suggested, and nevertheless, a seat on the bench, a place in the cabinet, a diplomatic appointment, or the numberless dependencies of station, reward personal subserviency to the ambition of an aspirant to office. The blood of the Indians may yet stain the faith of treaties. The Bank of the United States may

be destroyed, and a machinery of monied influence substituted, as well adapted to corrupt the States and consolidate the Union. These are subjects of fearful interest, upon which the language of the President cannot fail to produce increased anxiety and apprehension. But, in the love of country, in the spirit of harmony and conciliation, in respect for those honored and to be honored with expressions of the highest confidence of the People, and for the intelligence of the People who bestow or may withhold this confidence, distrust of their proper final disposition should be postponed to future opportunities for observation, and opposition limited to just occasions for disapproval of official action.

Aside from the Message, there has been much in the political events of the last year to lament and to condemn. We have seen the fire of party discord enkindled in the land, and brethren of the same political family and faith alienated, and set in hostility to each other. We have seen one administration put down, with reproach, and another triumphantly placed in its stead, professing, as is now apparent, the same once reprobated principles of general policy, and to pursue, doubtless, the same obnoxious system of public measures. We have had, under this new administration, melancholy witness, in numerous instances, of the more effectual claims of *men* to consideration, than of *principle*, or the *public good*; and we have seen the venerable patriot of the revolution, veterans of the first and of the second war of independence, able and faithful civil officers, laborious and dependant clerks, driven from their only means of support, and the door of employment shut against them, for no other reason than the unworthy suspicion, that integrity may not be proof against corruption by long service, or that loss of place was fit pun-

ishment for an uncompromising exercise of the rights of freemen.

These remarks are not made to gratify a spirit of discontent, or from particular regard to the cases of individuals, but from a deep and solemn conviction, that the precedent which has been given, and the principles avowed in its justification, unless rebuked by a strong tone of public sentiment, will reach to the vitality of our institutions, and subvert the foundations of Civil Liberty. What is more becoming the character of the patriotic citizen, than to canvass the qualifications of a candidate for public trust, to attend the polls, and to deposit his vote in the ballot box? To do this, is among his highest obligations. To neglect this, is to be indifferent to his most precious privileges. In what manner, then, can the independent and conscientious discharge of duties, common to every citizen, entitle one individual to reward, or subject another to punishment? The government is surely to be administered in harmony among its officers, and when there exists a difference as to the principles upon which the administration should be conducted, those who are assigned to act together in measures should be of consentaneous sentiment. The Supreme Executive Department is an unity, and here, especially, should be confidence and concert between its members. But upon every change in the head of this department, to sweep through the land with a besom of removal, to make the personal support of the successful candidate a sufficient ground for appointment, and an honest preference for a defeated competitor, a forfeiture of favor, is to corrupt the purity of elections by the bribes of office, and convert a government of constitutions and laws into a tyranny of men.

Let it not be considered a departure from appropriate

duties, that this reference has been made to circumstances connected with the administration of the federal union. The Citizens of the Commonwealth are alike constituents of the General Government. The independence of the States cannot be preserved but through the freedom of the nation. Jealousy and a never slumbering vigilance are the only security of the People. Whenever a selfish truckling to the predominancy of party shall prevent the alarm of danger, liberty will cease to be enjoyed, and the country, either by foreign force, or domestic despotism, be enslaved.

LEVI LINCOLN.

*Council Chamber,  
Boston, January 6, 1830.*



## CHAP. XXII.

*To the Honorable Senate  
and House of Representatives.*

During the recess, I received from the States of Vermont, Missouri, and Mississippi, resolutions adopted by their respective legislatures, upon constructions, or proposed amendments of the Constitution of the United States. The resolutions of Mississippi declare the tariff of 1828 to be contrary to the spirit of the Constitution, unjust and oppressive in its operation on the Southern States, and that it ought to be resisted by all constitutional means. Those of Missouri deny the power of Congress to appropriate money to aid the American Colonization Society ; and also propose an amendment of the Constitution of the United States, in such manner as to provide for a uniform mode throughout the States of electing the President and Vice President directly by the People, without the intervention of Electors, with a security to the States respectively of the same relative weight in the election as by the existing mode, and with a provision, that, in no case whatever, shall the election be submitted to the House of Representatives of the United States. The resolutions of Vermont are a dissent to the above propositions of the State of Missouri, on the subject of amending the Constitution, and an expression of opinion, that it is inexpedient, at present, to alter the Constitution in that particular.

In transmitting these documents, in respectful compliance with the requests which accompany them, it becomes me to add, that the general subjects embraced in them all, although not presented precisely in the same shape, have repeatedly been within the consideration of the Legislature of Massachusetts, upon communications from other of the States.

LEVI LINCOLN.

*Council Chamber, January 7, 1830.*

## CHAP. XXIII.

*To the Honorable Senate  
and House of Representatives.*

I transmit to the Legislature a Report of the Engineer appointed to make a survey for a Rail Road from the City of Boston to Lowell, with a delineation of the courses of his surveys, and estimates of the expense of such a construction. The plan exhibits an election of routes, of less distance than the present stage road, over which a way may be laid, with an inclination in no place exceeding the rate of twenty six feet to the mile. The facilities which the country affords for the work are found to be unusually great. The estimated cost of a Road, with a single set of tracks, is \$167,956, for the whole distance of twenty three miles and five eighths of a mile; or about \$7,110 per mile. The Engineer has also made an estimate of the cost of grading and finishing a Macadamized Carriage Road, twenty four feet wide, with no greater inclination, in any part, than thirty feet to a mile, upon the proposed line of the Rail Road. His report is rendered still more highly interesting by important suggestions, and illustrations of the advantages which may be made to result from improving the means of communication along the route, by which the business of the neighboring country will be greatly increased, and an extensive and valuable trade promoted, from the western parts of the State of New Hampshire, and from Vermont, with the City of Boston. Anticipating that the publication of the document would be ordered, I have not thought it proper to cause the expense and delay of the preparation of duplicate copies for transmission.

LEVI LINCOLN.

*Council Chamber, January 7, 1830.*

CHAP. XXIV.

*Resolve relative to the Sutton Bank.*

January 8, 1830.

*Resolved*, That Hon. John W. Lincoln, William Sturgis, and John Wyles, be a Committee to inquire into, and report to this Legislature, as soon as may be, respecting the doings of the Sutton Bank, and the present state thereof; that the said Committee be instructed to inquire whether the said Corporation have exceeded the powers granted them, or failed to comply with the rules, restrictions, and conditions required by their act of incorporation; that they, or any two of them, have power to examine the books and vaults of the said Corporation, and to send for such persons and papers as they shall deem necessary to effect the object of their appointment.

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CHAP. XXV.

*Resolve relative to the Farmers Bank.*

January 8, 1830.

*Resolved*, That Hon. John W. Lincoln, William Sturgis, and John Wyles, be a Committee to inquire into, and report to this Legislature, as soon as may be, respecting the doings of the Farmers' Bank at Belcher-town, and the present state thereof; that the said Committee be instructed to inquire whether the said Corporation have exceeded the powers granted them, or failed to comply with the rules, restrictions, and conditions required by their act of incorporation; that they, or any two of them, have power to examine the books

and vaults of the said Corporation, and to send for such persons and papers as they shall deem necessary to effect the object of their appointment.

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## CHAP. XXVI.

*A Resolve relating to the time of presenting Accounts to the Treasurer of the Commonwealth.*

January 12, 1830.

Whereas, by a Resolve passed on the 11th day of June, 1829, the Treasurer of this Commonwealth was required to examine and audit all accounts presented against the State, with certain exceptions, and to make a detailed report thereof, classified under their appropriate heads, to the Legislature, on the second Monday of the first session, and on the fourth Wednesday of the second session ; and whereas, it may not be practicable for the said Treasurer duly to examine and arrange the said accounts unless they are seasonably presented ;

*Be it therefore Resolved,* That the Treasurer shall not be required to include, in his said Reports, any accounts or demands that are not presented on or before the first Monday of the first session, and the second Wednesday of the second session of the Legislature, any thing in the said Resolve of June last to the contrary notwithstanding.

## CHAP. XXVII.

*Resolve on petition of the Town of Wales.*

January 18, 1830.

On the petition of James L. Wales, and others, Selectmen of Wales, in the County of Hampden.

*Resolved*, That the inhabitants of the town of Holland, in the County aforesaid, be, and they hereby are authorized and empowered, at any legal meeting called for the purpose, to grant the sum of sixty-nine dollars and sixty cents, and the same assess upon the polls and estates thereof, for the purpose of reimbursing to the town of Wales the aforesaid sum, which has been paid by said town of Wales for representation in General Court, over and above their due proportion.

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## CHAP. XXVIII.

*Resolve on the petition of Isaac P. Osgood, Guardian.*

January 19, 1830.

On the petition of Isaac P. Osgood, of Boston, in the County of Suffolk, Esquire, as guardian of Andrew P. Valentine, Francis E. Valentine, William P. Valentine, and Edward L. Valentine, minors, under the age of fourteen years, and children of Lawson Valentine, late of Boston aforesaid, trader, deceased, intestate, praying that the said petitioner may be authorized to sell at private sale all the right and interest of said minors, in the real estate described in said petition, being the same which is hereinafter described ;—

*Resolved*, For the reasons set forth in said petition, that the said Isaac P. Osgood, guardian as aforesaid,

be, and he hereby is authorized and empowered to sell, at private sale, all the right, title, and interest, of the several minors above named, being one undivided moiety of the following lots of land, situate in Hopkinton, in the County of Middlesex, to wit, one piece situate near the centre of said Hopkinton, containing about sixteen acres, and bounded as follows, to wit:—southerly on the ministerial lands, westerly on land of John Mayhew and Joseph Valentine, northerly on land of Thomas Bucklin and Joseph Valentine and the road, easterly on the Common and Heyden Row road;—Also, a certain other piece of land situate in the westerly part of said Hopkinton, called the Shay Place, bounded as follows, to wit: westerly on land of the late John Golding and others, northerly on land now in the occupation of Elijah Parker, easterly on land of Colonel Nathan Perry and others, to the land of John Clafflin and Alanson Briggs, southerly on said Clafflin and Briggs' land, and land of Joseph Valentine, Samuel Valentine, Joseph Walker and others; the other moiety of said land is owned by Joseph Valentine, now of said Boston, Esquire, in common with said minors, and said lots are more particularly described in a deed, and a plan there-to annexed, made by said Lawson Valentine and Mary Ann Valentine his wife, and Olivia Hall, to Joseph Valentine, dated the seventeenth day of October, in the year eighteen hundred twenty-five, and recorded in the Registry of Deeds for Hopkinton and Upton Lands, book 17, page 509, on the eighteenth day of said October; and by deed duly executed, acknowledged, and recorded, to convey the same to the purchaser or purchasers thereof, in as full and ample a manner as said minors could, were they of full age. *Provided*, said guardian first take an oath before the Judge of Probate, in and for the County of Suffolk, to act faithfully and impartially, according to his best skill and judgment, in making said sale, and give bond with sufficient surety to the said Judge to act as aforesaid, in making said sale, and to account for and make payment of the proceeds of said sale, agreeably to the rules of law.

## CHAP. XXIX.

*Resolve authorizing Treasurer to borrow.*

January 21, 1830.

*Resolved*, That the Treasurer of this Commonwealth be, and he is hereby authorized and directed to borrow, of any of the banks of this Commonwealth, or any corporation therein, or of any individual or individuals, such sum or sums as may from time to time be necessary for the payment of the ordinary demands on the Treasury, at any time before the meeting of the next General Court, and that he pay any sum he may borrow, as soon as money sufficient for the purpose, and not otherwise appropriated, shall be received in the Treasury: *Provided, however*, that the whole amount borrowed by authority herooof, and remaining unpaid, shall not at any time exceed the sum of one hundred and thirty thousand dollars.

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## CHAP. XXX.

*Resolve on the petition of James Fisher.*

January 22, 1830.

*Resolved*, That James Fisher, Jr. the son of James Fisher, of Springfield, in the County of Hampden, be placed upon the list of persons supported by this Commonwealth, at the American Asylum for the education of the Deaf and Dumb, at Hartford, agreeably to the provisions of the Resolve heretofore passed, in relation to State beneficiaries.

CHAP. XXXI.

*Resolve on the petition of Henry Gray.*

January 26, 1830.

Upon the petition of Henry Gray, praying to be confirmed in the purchase of real estate in Roxbury,

*Resolved*, That the said Henry Gray, be, and he is hereby authorized, and permitted, to hold and enjoy the real estate by him purchased of Benjamin Merriam, by deed, recorded in Norfolk Registry of Deeds, book 79, page 276, his alienage to the contrary notwithstanding, and that he may sell, and convey the same in fee simple, during his life, or devise the same in fee simple, or with limitations; and if he shall die intestate, without having disposed of the same, that the same shall be distributed among his widow and next of kin, as if the said Henry Gray had been born a citizen of the United States. *Provided, however*, that nothing herein contained, shall be construed to give to the said Henry Gray, or to any other person or persons claiming under him, any civil or political rights, until he or they shall be duly naturalized by law, nor to give him or them any better title to the real estate above mentioned, than he or they would have had, if he had been a native citizen of the United States.

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CHAP. XXXII.

*Resolve in favor of William Porter, jun. Esquire.*

February 2, 1830.

*Resolved*, That there be allowed and paid out of the public Treasury, to William Porter, jun. Esquire, thirty dollars and seventy five cents, in full for services ren-



dered in prosecuting the claims of the Commonwealth against the town of Tyringham ; and His Excellency the Governor, by and with the advice of the Council, is requested to draw his warrant for that sum.

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### CHAP. XXXIII.

*Resolve on the petition of Moses Whitney, for permission to perpetuate evidence of notice of the sale of certain real estate.*

February 4, 1830.

Whereas, Moses Whitney, of Stow, in the County of Middlesex, Administrator of Abraham Priest, late of said Stow, deceased, was, by a resolve of the Legislature of the Commonwealth of Massachusetts, passed on the twenty fifth day of February, in the year of our Lord one thousand eight hundred and twenty nine, authorized and empowered to file in the probate office within said county, at any time within two months from and after the passage of said resolve, an affidavit that he gave notice of the sale of certain real estate of said deceased, situate in Marlborough, pursuant to a license of the Judge of Probate for said county ; and whereas the said Moses Whitney was unable, by reason of sickness, to file such affidavit within the time prescribed by said resolve, and has petitioned for further time to file such affidavit—

*Therefore, Resolved,* That said Moses Whitney be authorized and empowered to file such affidavit within two months from and after the passage of this resolve ; and such affidavit being so filed shall be evidence of said notice, and of the time, place, and manner in which the same was given, as effectually as if such affidavit had been made and filed in the said probate office within the time prescribed by law.

CHAP. XXXIV.

*Resolve on the petition of Seth Perkins.*

February 4, 1830.

On the petition of Seth Perkins, of Kingston, in the County of Plymouth, a private in a company of infantry in said Kingston, praying for relief in consideration of a wound received on his left hand while in the discharge of military duty, on the fifth day of October last ;

*Resolved*, for reasons set forth in said petition, that there be allowed and paid out of the treasury of this Commonwealth, to the said Seth Perkins, the sum of fifty dollars, in full consideration of all expenses and loss of time incurred in consequence of said wound ; and that His Excellency the Governor, with advice of the Council, be requested to draw his warrant on the treasury for that sum.

CHAP. XXXV.

*To the Honorable Senate  
and House of Representatives.*

A Resolution of the General Assembly of the State of Pennsylvania, approved by the Governor on the twenty third of January last, declaring " That the Tariff of eighteen hundred and twenty eight accords with the spirit of the Constitution of the United States, and that it maintains the true principles of protection to the industry of the country against foreign policy and legislation," is herewith communicated, in compliance with a request which accompanied the transmission to me of the document.

I also transmit copies of sundry Resolutions recently adopted by the Government of Georgia, upon the subject of amendments to the Constitution of the United States, proposed by the States of Louisiana and Missouri, in relation to the election and term of office of President and Vice President; which propositions have been heretofore submitted to your consideration in Resolutions from those states respectively.

LEVI LINCOLN.

*Council Chamber, February 4, 1830.*

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CHAP. XXXVI.

*Resolve for appointing a Committee of investigation on the Brighton Bank.*

February 5, 1830.

*Resolved*, That Hon. Messrs. James Fowler, John W. Lincoln, William W. Blake, of Boston, John Wyles, of Brimfield, William Parmenter, of Cambridge, be a Committee to enquire into, and report to this Legislature, as soon as may be, respecting the doings of the Brighton Bank, and the present state thereof; that the said Committee be instructed to enquire whether the said Corporation have exceeded the powers granted them, or failed to comply with the rules, restrictions and conditions required by their act of incorporation; that they or any two of them have power to examine the books and vaults of the said Corporation, and to send for such persons and papers as they shall deem necessary to effect the object of their appointment.

CHAP. XXXVII.

*A Resolve authorizing the Solicitor General to appear on behalf of the Commonwealth, and prosecute the enquiry now pending before a Joint Committee of both Houses, to whom was referred the investigation of the affairs of the Brighton Bank.*

February 10, 1830.

*Resolved*, That the Solicitor General be, and hereby is directed, to appear for, aid and assist the Commonwealth, in the investigation of the affairs of the Brighton Bank, now pending before a Joint Committee of the General Court, and to take such measures in relation to that subject as he may think expedient.

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CHAP. XXXVIII.

*Resolve on the petition of Thomas Atwood.*

February 10, 1830.

*Resolved*, That William T. Atwood, a deaf and dumb person, and son of William Atwood, be adopted as a beneficiary of the State, and continued at the American Asylum at Hartford, for a term not exceeding two years from the time of his admission, according as the Executive of this Commonwealth may determine to be necessary for his complete education.

## CHAP. XXXIX.

*Resolve on the petition of Joshua Hanscam, and Mary, his wife.*

February 12, 1830.

On the petition of Joshua Hanscam, of Mortonborough, in the State of New Hampshire, and Mary, his wife, praying that he may be authorized and empowered to sell, and pass a deed, or deeds, to convey certain real estate in Lexington, in the County of Middlesex, and Commonwealth of Massachusetts, held by him in right of his said wife, who is a minor, and investing the proceeds of sale, or an equal amount, in other real estate, in Mortonborough aforesaid, in the name and for the benefit of his said wife, her heirs and assigns ;—

*Resolved*, For the reasons set forth in said petition, that the said Joshua Hanscam, husband of the said Mary, be, and he hereby is authorized and empowered, to sell, at public auction, and make and execute a good and sufficient deed, or deeds, of bargain and sale, and warranty, of all the right and interest of his said wife, in and to said parcel of real estate ;—the said Joshua Hanscam first giving public notice of the intended time and place of sale, by posting notifications thereof in some public places in said town of Lexington, and in two of the adjoining towns, thirty days, at least, before the time of sale, and giving bonds, with sufficient sureties, to the Judge of Probate for the County of Middlesex, to be approved by him, to invest the avails of the said sale, or an equal sum, in other real estate, of equal value, in Mortonborough, aforesaid, in the name, and for the benefit, of his said wife, her heirs, and assigns, within six months after the said sale of her estate in Lexington ; and such deed or deeds to be made by the said Joshua Hanscam, in pursuance of this resolve, shall have the same effect in law, as if the same had been made by the said Joshua Hanscam, and Mary his wife, in her right, if she were of full age.

## CHAP. XL.

*Resolve making an appropriation for the State Prison.*

February 12, 1830.

*Resolved*, That there be allowed and paid out of the Treasury of this Commonwealth, for the use of the State Prison, the sum of twenty thousand dollars, to be drawn from the Treasury by the Warden of said prison, in such sums as the Governor, with the advice of Council, shall from time to time direct; and His Excellency the Governor, with the advice of the Council, is hereby authorized and requested to draw his warrant on the Treasury for said sum accordingly.

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## CHAP. XLI.

*Resolve on the petition of the Selectmen of the town of Oakham.*

February 15, 1830.

*Resolved*, That William Gault, Administrator on the estate of the late Charles Stone, be, and hereby is authorized and directed to pay from the balance now remaining in his hands, which escheats to this Commonwealth, to the Selectmen of the town of Oakham, the sum of one hundred and fifty dollars and twenty-one cents, for the benefit of said town, it being the amount expended by said town for the support of said Charles in his infancy; and that he pay the remainder of said balance to the Treasurer of the County of Worcester, for the benefit of this Commonwealth.

## CHAP. XLII.

*Resolve in favor of Sarah Orne, wife of William Orne.*

February 15, 1830.

*Resolved*, That there be allowed and paid out of the Treasury of this Commonwealth to Sarah Orne, wife of William Orne, for reasons stated in her petition, the sum of thirty-eight dollars; and His Excellency the Governor, with the advice of Council, is requested to draw his warrant for said sum accordingly.

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## CHAP. XLIII.

*Report and Resolves in relation to the Massachusetts Claim on the General Government.*

February 15, 1830.

The Special Committee of both Houses, to whom was referred so much of His Excellency the Governor's Message, as relates to the Massachusetts Claim, REPORT :

That they approach this subject as a matter of history, which may now be appreciated, independently of its association with events that were once the occasion of much irritability and excitement.

The Claim has been before the National Government for thirteen years. That it may now be understood by the Legislature, your Committee would exhibit, at a single view, the opinions entertained and the grounds assumed from time to time during the negotiation. This they trust they have impartially done by extracts from documents, which, in the language of the official agents of the two Governments, present a succinct account of the progress of the Claim.

As early as February 1817, the presentation of the Massachusetts Claim was made to the Secretary at War by Messrs. Lloyd and Sumner, Agents for the State at Washington. The auditing of the claim was then denied, on the ground that the services, 'with one exception,' were rendered independently of the authority of the United States, and that the Militia were withheld from the command of the officers of the United States.

Messrs. Lloyd and Sumner were only able, at this time, to place upon the files of the War Department, 'an abstract of the claim, with a request that it might be received and preserved as an evidence in perpetuance of the claim of the State of Massachusetts.'

About five years after, in March 1822, the Delegations in Congress from Massachusetts and Maine, by their Memorial to the President of the United States, requested him, 'to instruct the proper Executive Department to entertain a discussion of the merits of the claim,' and to permit them to introduce 'proofs and reasons' to establish its 'legality and justice.'

About one year after, in January 1823, the Secretary of War, Mr. Calhoun, informed our Delegation in Congress, that 'the 3d Auditor of the Treasury Department had been directed to take up the claims for auditing, in conformity to the principles which have been established and applied in the settlement of similar claims, and that the settlement must be subordinate to the general views, in relation to the constitutional powers of the General Government over the Militia of the State, which were taken by the Department, when the accounts were originally presented and discussed.'

In March, 1823, Messrs. Lloyd and Mills, Senators from Massachusetts, in a letter to Governor Brooks, recommended 'that an able jurist should be associated with some individual conversant with the details of the claim, who would attend to the clerical part of the business,' for its prosecution at Washington.

In June, 1823, Messrs. Sullivan and Pierce, were appointed agents for the claim by Governor Eustis.

In September of the same year, the Secretary at War, by direction of the President, Mr. Monroe, instructed



the third Auditor, 'to examine such items of the claims 'as the Commissioners might present, *and report the amount which would have been due,*' according to the rules theretofore established, 'if the troops had been in 'service under the authority of the General Government.'

In December following, President Monroe, in a note to the Secretary at War, states, that he has 'examined 'with great attention the report of the third Auditor 'upon the claims of the fifth Division of the Massachusetts Militia,' and is of opinion that 'the services to 'which they refer were called for by the exigencies of 'the times, and were intended to repel, in many instances, actual invasion; and in others, that the troops 'were called out on well founded apprehension of it; 'that they were spontaneous movements of those who 'were exposed to danger, and for the purposes of self defence.' And that he is 'of opinion, that it would 'not be proper to decide on any particular class of 'claims, until the whole has been audited, so that the 'merits of each, under their various classifications, may 'be distinctly seen and perfectly understood.'

Orders were accordingly given to the accounting officer, to proceed in auditing the whole accounts, before a decision should be given on any particular class of the claims.

On the 23d of February, 1824, President Monroe, in a message to Congress, gave a brief account of the progress of the claim, and of the *objections* to its allowance at an earlier day, arising from the constitutional principles in controversy between the Executives of both Governments; wherein he remarks, 'that it is well 'known, that the great body of our fellow citizens in 'Massachusetts are as firmly devoted to the Union, and 'to the free republican institutions of our Government, 'as our fellow citizens of the other States; of this important truth, their conduct, in every stage of our revolutionary struggle, bears ample testimony, and I add, 'with profound interest and thorough conviction, that 'although the difficulty adverted to, in the late war, with 'their Executive, excited equal surprise and regret, it

‘ was not believed to extend to them. There never was  
‘ a moment when the confidence of the Government in  
‘ the great body of their fellow citizens of that State was  
‘ impaired, nor is a doubt entertained that they were  
‘ willing at all times to support their rights and repel  
‘ invasion by the enemy,’ and recommends to Congress  
‘ to make provision for the settlement of the claim of  
‘ Massachusetts, in conformity with the rules which have  
‘ governed in the settlement of claims for services ren-  
‘ dered by the militia of other States.’

In May, 1824, the Committee of Congress on Military Affairs made a report in the House of Representatives, from which are the following extracts :

‘ It will be sufficient for present purposes to premise,  
‘ *that a large portion of the claim of Massachusetts does*  
‘ *not appear to be affected by those constitutional difficul-*  
‘ *ties which have so long, in the consideration of the Ex-*  
‘ *ecutive of the United States, operated as an impediment*  
‘ *to its adjustment.* Your Committee are unanimously  
‘ of opinion that the services rendered by the Militia of  
‘ Massachusetts, which may be considered beyond all  
‘ exceptions, and as entitled to remuneration, are com-  
‘ prised in a class of cases, in which, by spontaneous  
‘ impulse of the militia, with or without the sanction of  
‘ the Executive of that State, or with or without a requi-  
‘ sition on the part of the officer of the United States  
‘ commanding the Department, they assembled, either  
‘ for the purpose of repelling actual invasion, or under  
‘ a well founded apprehension of invasion.’ ‘ *It is a fact*  
‘ *that on this principle, and this principle only,* the claims  
‘ for militia services of the various states have been au-  
‘ dited and allowed at the Department of War.

‘ Services of this description, patriotically performed,  
‘ ought not to be prejudiced by a pre-existing opinion,  
‘ between the Executive of Massachusetts and the com-  
‘ manding officer of the United States’ forces, as to an  
‘ abstract construction of the Constitution, when such  
‘ an opinion appears to have no sort of effect on the  
‘ extent and character of the services afforded. On the  
‘ other hand your Committee are equally unanimous in  
‘ declaring, that in all cases where the acts of the Ex-

‘ executive of Massachusetts gave a direction to the ser-  
 ‘ vices of the militia of that State, in opposition to the  
 ‘ views of the General Government, the claim is alto-  
 ‘ gether *inadmissible.*’ \* \* \* \* \*

\* \* \* \* \*

‘ Your Committee in conclusion recommend, that in  
 ‘ all cases where the militia of the State of Massachu-  
 ‘ setts were called out in conformity with the desire of an  
 ‘ officer of the General Government; or to repel actual  
 ‘ invasion, or under a well founded apprehension of in-  
 ‘ vasion, during the late war, the claim of the State for  
 ‘ such military service be allowed, under the usual rules  
 ‘ of auditing and allowing similar claims.”

In January, 1826, a Committee of Congress again had  
 the subject under consideration. They adopted the re-  
 port of the Committee on Military Affairs, made in  
 1824, ‘ as forming the substantial grounds upon which  
 ‘ they were prepared to report favorably on the allow-  
 ‘ ance of the Massachusetts Claims.’

The report of 1826 does not differ in principle from  
 that of 1824, but the Committee give an explanation of  
 what they consider services rendered in opposition to the  
 views of the General Government. They say, that ‘ in  
 ‘ all cases, where specifically the command was refused  
 ‘ to be given to an officer of the General Government,  
 ‘ applying for the same in each particular service of this  
 ‘ description, for which compensation may be asked, it  
 ‘ should be withheld.’ ‘ But in all cases *where in point*  
 ‘ *of fact* there was no refusal on the part of the Govern-  
 ‘ ment of Massachusetts to place her troops under the  
 ‘ command of an officer of the General Government,  
 ‘ but where at the same time services were rendered in-  
 ‘ dispensable to her defence, either to repel invasion or  
 ‘ under a well grounded apprehension of invasion, that  
 ‘ her people have, under the constitution of this coun-  
 ‘ try, a just claim for compensation, by virtue of that  
 ‘ provision which guarantees the common defence to all  
 ‘ the States.’—‘ That they should receive compensation  
 ‘ for services performed under the requisition of the  
 ‘ General Government, has never been denied, *howev-*  
 ‘ *er long even this may have been* INJURIOUSLY WITHHELD.

About one year after, in December 1826, the claim was again referred to the Secretary at War by Congress, with instructions to report to the House, 'what classes 'and what amount of said claim may be allowed and 'paid, upon the principles and rules which have been 'applied to the adjustment of claims of other States, 'and to which the assumed authority of the Governor of 'that State to control the militia and judge of the necessity of ordering them into service does not apply.'

About eighteen months after, in May, 1828, the Secretary at War accordingly submitted a report of the 3rd Auditor to the House of Representatives.

From which it appears, the whole amount claimed is \$843,349 60.

The amount inadmissible, is	. . . . .	\$412,601 34
" " admissible, is	. . . . .	430,748 26

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In the Winter of 1828 and '29, a bill, in conformity to this result of the report of the 3rd Auditor, was introduced by the Committee on Military Affairs, and laid upon the table of the House.

On the 5th of January, 1830, Mr. Silsbee, Senator from Massachusetts, obtained leave to bring in a bill, the fate of which is not yet decided.

Your Committee have intentionally presented this statement in the language of the official organs of the General Government, and without comment. The Executive, the Secretaries at War, the Committees of Congress, have invariably and uniformly admitted, during the progress of the negotiation for thirteen years past, the validity and justness of so much of the claim as may be within the rules and principles upon which the services of other States have been compensated. On the other hand, the People of Massachusetts, by their legitimate Representatives, the Legislature—their Delegation in Congress—their Agents at Washington, and their Executive at home, have respectfully asked no more than equal justice—not at the price of "State humiliation," but upon a liberal and equitable construction of the constitutional powers and obligations of the General Government. This is the result to which an honest

investigation has brought every honest man, whatever may have been originally his prejudices, who has been officially called to examine the subject. It is the ground upon which the honesty of public opinion will place it, when it shall be understood by the Nation.

A Committee of Congress, in 1826, stated the fact, that the claim for services rendered in conformity to the principles of the Constitution, 'had never been denied, however long it had been INJURIOUSLY DELAYED.' May not the people of this Commonwealth ask, in the presence of the nation, why has Congress permitted an *additional* 'injurious delay' of four years since 1826?

Your Committee submit the following Resolves, and respectfully recommend that His Excellency the Governor be requested to transmit them, with this report annexed, to each Branch of the National Legislature in Congress assembled.

By order of the Committee,  
SAMUEL M. M'KAY, *Chairman.*

*Resolved, By the Senate and House of Representatives,* That we fully concur in the sentiments expressed by His Excellency the Governor, in his late Communication to the two Branches of the Government, in relation to the delay in the settlement of the claim of this Commonwealth upon the General Government, for the services of the Militia of Massachusetts in the last war.

*Resolved,* That the Citizens of this Commonwealth entertain a deep sense of the great advantages of that form of General Government adopted by the Independent States of this Union;—and that they would view, with great solicitude and regret, any appearance of a disposition in the Congress of the United States, to refuse a prompt adjustment of the just claims of any of its members, as tending to lessen, in every part of the confederacy, that perfect confidence in the justice of the Government which can alone insure its permanency.

*Resolved,* That the claim of this Commonwealth upon the General Government, for services rendered by the Militia of Massachusetts in the late war with Great Britain, having been before Congress for thirteen years;

—the particulars of that claim having been repeatedly examined by the Executive Officer of the Government, the Secretaries of War, and Committees of Congress, and a large portion thereof declared by them to be admissible and justly due, upon the principles and rules which have been applied to the adjustment of similar claims of other States ;—and the precise amount, so admissible, having been reported to Congress by the Secretary of War, nearly two years since ;—it does not comport with those principles of equal justice to which, by the Constitution of the United States, the General Government is bound to conform, in its transactions with the individual States ; nor with the rights and dignity of this Commonwealth, that the payment of that portion of this claim, admitted to be due, should be longer withheld.

*Resolved*, That the early attention of Congress to the final adjustment of the Massachusetts Claim is most earnestly requested ; and that the Senators and Representatives in Congress from this Commonwealth, be, and they are hereby requested, to urge an immediate provision for the payment of the same.

*Resolved*, That His Excellency the Governor, be, and he hereby is, requested to transmit to each Branch of the National Legislature, copies of these Resolutions, with the Report annexed, and to cause copies of the same to be furnished to each Senator, and each Member of the House of Representatives in Congress from Massachusetts.

## CHAP. XLIV.

*Resolve granting Taxes for the several Counties.*

February 17, 1830.

Whereas, the Treasurers of the following Counties have laid their accounts before the Legislature, which accounts have been examined and allowed; and the Clerks of the County Commissioners for the said Counties have exhibited estimates, made by said Commissioners, of the necessary charges which may arise within their respective counties, for the year ensuing, and of the sums necessary to discharge the debts of the said counties.

*Resolved*, That the sums annexed to the several counties in the following Schedule be, and the same are hereby granted, as a Tax for each county respectively, to be apportioned, assessed, paid, collected, and applied, for the purposes aforesaid, according to law, viz :—

The County of Essex, thirty thousand dollars,	\$30,000
The County of Middlesex, thirteen thousand dollars,	13,000
The County of Worcester, sixteen thousand dollars,	16,000
The County of Hampshire, fifteen thousand dollars,	15,000
The County of Franklin, seven thousand dollars,	7,000
The County of Hampden, six thousand dollars,	6,000
The County of Berkshire, thirteen thousand dollars,	13,000
The County of Norfolk, thirteen thousand dollars,	13,000
The County of Bristol, twelve thousand dollars,	12,000
The County of Plymouth, six thousand five hundred dollars,	6,500

The County of Barnstable, four thousand two hundred and fifty dollars,	4,250
The County of Dukes County, six hundred dollars,	600

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## CHAP. XLV.

*Resolve on the petition of Jacob Greenleaf and others.*

February 22, 1830.

Whereas, John Pettingell, late of Newburyport, in the County of Essex, Esquire, deceased, testate, did, among other things in his last will and testament, give, bequeath, and devise all the residue and remainder of his estate, of whatever nature, real, personal, or mixed, from and after the decease of the said Jacob Greenleaf and Mary his wife, Nathaniel Smith and Elizabeth his wife, Joseph Smith Pike and Sally his wife, and Edward Sprague Rand and Hannah his wife, being the petitioners, to be equally divided among the grand children of said John Pettingell, and the lawful issue of any grand child; and when either said Greenleaf and wife, Smith and wife, Pike and wife, or Rand and wife, shall decease, the quarter part of the use, improvement and income of said property shall descend to, and be equally divided among said grand children, and their lawful issue;—

Now, for the reasons set forth in the petition aforesaid, *Resolved*, That Edward Sprague Rand, and Joseph Smith Pike, be, and they hereby are authorized and empowered to sell at public or private sale, and to execute and deliver good and sufficient deeds to the purchasers thereof, to convey all the right, title and interest which the grand children of the said Pettingell have in and to the real estate devised to them by said Pettingell as aforesaid: *Provided*, said Rand and Pike first



give bonds to the Judge of Probate for said County of Essex, with sufficient sureties, in the penal sum of fifty thousand dollars, conditioned that they will observe the rules of law now prescribed for guardians of minors, and others, in the sale of real estate by order of the Supreme Judicial Court of this Commonwealth, in cases where the proceeds of such sales are to be put out and secured to said minors, and others, on interest; that the said Rand and Pike will vest the proceeds of such sale or sales, in some safe and productive stock, or put the same out at interest on good security; that the proceeds of said sales at the decease of said petitioners, and the use, income, and improvement of such part thereof as may at any time belong to said grand children, or their legal representatives, on the decease of either of the said parties first above named, shall be paid and distributed to and among the grand children of said Pettingell, or their legal representatives, in like manner as said real estate, and the income thereof, would have passed under the devise of the same in the will of said John Pettingell.

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#### CHAP. XLVI.

##### *Resolve on the petition of Malbone Briggs.*

February 24, 1830.

Whereas, said Briggs, October 17, 1817, entered into recognizance to the Commonwealth for the sum of two hundred dollars, as surety for his late son Malbone Briggs, jun. deceased, and judgment was entered at the November term of the Supreme Judicial Court for the County of Bristol, 1828, for the full penalty of said recognizance, and costs, and said petitioner has applied to the Justices of said Court for relief, and doubts have arisen as to the power of said Justices to grant the relief prayed for; therefore,

*Resolved*, for reasons set forth in said petition, that the Justices of said Court be, and hereby are authorized to revise said judgment, and to enter final judgment on said recognizance, according to the circumstances of the case, and to remit the whole, or any part of the penalty thereof, upon such terms and conditions as to them shall seem reasonable and just, any law or usage to the contrary notwithstanding.

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#### CHAP. XLVII.

*Resolve providing for a transcript of the Laws and Ordinances of the late Plymouth Colony.*

February 27, 1830.

*Resolved*, That there be allowed and paid to Rosseter Cotton, of Plymouth, the sum of thirty dollars, in full compensation to him for making a transcript of such of the laws and ordinances of the late Colony of Plymouth, as were of general operation; and that the Governor be requested, on his filing such transcript in the office of the Secretary of the Commonwealth, to draw his warrant on the treasury accordingly.

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#### CHAP. XLVIII.

*Resolve on the petition of William Kibbe.*

February 27, 1830.

The Joint Committee on Public Lands, to whom was referred the petition of William Kibbe, for himself, and

also as attorney to Isaac Kibbe, have attended the duty assigned them, and respectfully Report :—

That it appears from documents in the Land Office, and others, furnished by said petitioner, that on the second day of October 1794, the Committee for the sale of Eastern lands, contracted with John Ripley, James Glover, Norman Butler, and Henry Huntington, for the sale of four townships of land lying in the then District of Maine, adjoining New-Hampshire line, for which they were to pay \$12,000, in three equal annual instalments with interest. That said Ripley paid his proportion of said contract, amounting to the sum of \$2,842 62, and also \$1,232 74 for said Butler. That James Glover paid \$2,842 62, but said Butler never paid any part of said contract, except the fourth part of £544 17s. 0d. or \$454 04 paid at the date of said contract, consequently the other parties to said contract, have never received any benefit, or consideration for the sums they respectively paid, except Henry Huntington, who, by a Resolve, passed 13th June, 1814, together with Timothy Pitkin, was allowed one of said townships, on completing the payment of the balance then due with interest thereon; said Kibbe having a lawful assignment from said Ripley and Glover, the Committee are of opinion he is entitled to an equitable allowance in land for two third parts of the sums paid as aforesaid; they therefore recommend the following resolves :—

*Resolved*, That the Land Agent be, and he hereby is authorized to convey to William Kibbe, his heirs and assigns, a township of land, numbered four, in the second range of townships, between New-Hampshire line, and William Bingham's Kennebec purchase, in the County of Oxford, and State of Maine, by a good and sufficient deed, making the reservations required by the act of separation of Maine from Massachusetts.

*And be it further Resolved*, That if the said Kibbe, his heirs, or assigns, shall produce satisfactory evidence to said Agent that the sum of \$1,232 74, was never paid by said Butler, said Agent is hereby authorized to make a further conveyance to said Kibbe, his heirs, or assigns, of one third of a township of land of six miles

square, with the reservation required as aforesaid; but in case of failure to produce said evidence, then to convey only one fourth of a township, subject to said reservations, to be surveyed under the authority and direction of said agent, at the expense of said Kibbe, his heirs, and assigns, from any of the unappropriated lands in the State of Maine, belonging to this Commonwealth.

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CHAP. XLIX.

*Resolve providing for the deposit of certain records and plans in the Registry of Deeds for the County of Norfolk.*

March 1, 1830.

*Resolved*, That Mather Withington, of Dorchester, in the County of Norfolk, be, and he hereby is authorized to deposit in the office of the Registry of Deeds within and for said county, such records of the acts of the original proprietors of the old town of Dorchester, and such plans of said old township, as he now has in his possession, there to be safely kept for the inspection of any person who may have occasion to examine the same.

## CHAP. L.

*Resolve requiring Towns to make Surveys of their Territory, and return Plans of the same into the Secretary's Office.*

March 1, 1830.

*Resolved*, That the Inhabitants of the City of Boston, and the several Towns and Districts in the Commonwealth, be, and they hereby are, required to make, or cause to be made, by their Selectmen, or some other suitable person or persons, appointed for that purpose, accurate Plans of their respective towns or districts, upon a scale of one hundred rods to an inch, upon a minute and accurate survey, hereafter actually to be made, or that has actually been made within the last five years next preceding this time; and the same to lodge in the Secretary's Office, free of expense to the Commonwealth, on or before the first day of July, in the year of our Lord one thousand eight hundred and thirty-one.

*And be it further Resolved*, That, on each of said Plans, the place where any other town or district line meets or joins the line of any other town or district, respectively; the names, courses, and magnitude of Rivers and smaller Streams; Roads, public and private, with their courses; the situation of Houses for Public Worship, Court Houses, and other public buildings; the known and admeasured distance of the centre of the town or district from the shire town of the County, and from the Metropolis of the Commonwealth, in the several roads actually travelled; the length and the course by the magnetic needle (noting its variations from the true North) of the boundary lines of the town or district; bridges; ferries; falls; ponds; shores; harbors; islands; mountains; hills; mills and manufactories; mines and minerals, and of what kind; iron works and furnaces; meadows (salt and fresh); and wood land; the scale on which such plans shall be taken, and the time

when the actual survey was, or shall have been made, shall be inserted, specified, delineated or described. And any land belonging to the Commonwealth, within the limits of any town or district, or adjoining thereto, in any place unincorporated, shall be particularly named, and the known quantity of such land specified.

*Be it further Resolved*, That it shall be the duty of the person or persons appointed for the purposes aforesaid, by the most ancient town or district, to give notice, in writing, unto the Selectmen of such adjoining town or district, of the time and place of meeting for running such line or lines, ten days before the time designated ; and it shall be the duty of the town or district, whose Selectmen shall be so notified, to appoint and require some suitable person or persons to attend, in behalf of such town or district, with the person or persons so notifying, for the purpose of running such line or lines, and when the line or lines between adjoining towns, or between adjoining towns and districts, is, or are, unsettled and in dispute, in such case, there shall be specified on the plans of such towns and districts, the several lines in contest, stating accurately, and particularly, the difference of such claimed lines of boundary and division, in their distance, course and bearing from each other.

*And be it further Resolved*, That the inhabitants of the City of Boston, or of any of the towns or districts aforesaid, who shall neglect to take and lodge in the Secretary's Office, the plans required as aforesaid, within the time limited therefor, shall forfeit and pay, to the use of the Commonwealth, the sum of one hundred dollars, which sum shall be added to such delinquent town or district's proportion of the State tax which may be granted next after the first day of July, in the year of our Lord eighteen hundred and thirty one.

*And be it further Resolved*, That the Secretary of the Commonwealth be required and directed to cause copies of this Resolution to be forwarded, as soon as may be, to the Mayor and Aldermen of the City of Boston, and the Selectmen of the several towns and districts in this Commonwealth ; and also to cause the same to be pub-

lished in the several newspapers printed in the Commonwealth. And the Mayor and Aldermen of the City of Boston, and the Selectmen of the several towns and districts respectively, are hereby required, immediately, after the receipt of such copies, to cause the inhabitants of the City of Boston, and of the several towns and districts aforesaid, to assemble, for the purpose of carrying the foregoing Resolutions into effect.

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### CHAP. LI.

*Resolve on the petition of Samuel Gates, and others.*

March 1, 1830.

On the petition of Samuel Gates of Richmond, in the County of Berkshire, executor of the last will and testament of Samuel Gates, late of said Richmond, deceased, testate, Phebe Fairchild, daughter and devisee of said testator, and Tallmadge Fairchild, husband of the said Phebe, and Henry Raymond, guardian of the children of the said Phebe, praying for license to sell the whole of the real estate devised by the said Samuel Gates, deceased, to the said Phebe, during her life, and after her decease, to such of her children as may survive her ;

*Resolved*, That the prayer of the petitioners be granted, and the said Samuel Gates be, and he hereby is authorized and empowered to sell at public or private sale, and to convey all the real estate devised by the said Samuel Gates, deceased, to the said Phebe and her children as aforesaid ; and such conveyance, made by the said Samuel Gates, by virtue of this resolve, shall operate as a valid conveyance of all the right, title and interest which the said Phebe and her children have in lands holden by the devise aforesaid : *Provided*, that the said Samuel Gates first give bond, with sufficient sure-

ties to the Judge of Probate for the County of Berkshire, and his successor in said office, that the proceeds of said sale shall be put at interest on good security, that he will pay over the interest and income thereof to the said Phebe, annually, during her life, that after her decease he will pay the principal to such of her children as may survive her, in equal shares, and that he will render an account of his doings herein to the Judge of Probate for the said County of Berkshire.

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## CHAP. LII.

*Resolve on petition of Walter Balfour.*

March 1, 1830.

On the representation of Walter Balfour, setting forth, that being considered the ordained and stated teacher of a Baptist Church in the town of Charlestown, according to their views of scripture on the subject of ordination, he believing himself legally authorized so to do, did join several persons in the banns of matrimony some years ago, and doubts having arisen whether such marriages were legally solemnized, therefore ;—

*Resolved*, That all marriages solemnized in this Commonwealth by the said Walter Balfour, while he was teacher of said church in Charlestown, be, and they are hereby made valid in law, as if the said Walter Balfour had been, at the time of solemnizing the same, a stated ordained minister of the gospel within this Commonwealth.

*Resolved, also*, That the issue of each and all such marriages, solemnized as aforesaid, be, and they hereby are made capable in law, of inheriting, in the same manner as though each and every of such marriages were originally solemnized according to law.



## CHAP. LIII.

*Resolve on the petition of Solomon Francis and others.*

March 1, 1830.

*Resolved*, That there be appropriated from the treasury of this Commonwealth, the sum of four hundred dollars, for the purpose of erecting two school houses for the use and benefit of the Marshpee Indians, so called, on their plantation, to be expended under the direction of the Overseers of the Marshpee and Herring Pond tribes; whose account for the expenditure of the same, shall be audited, adjusted, and transmitted, in the same manner, as is provided in the seventh section of "An Act in addition to the several acts respecting the Indians and other persons, proprietors and residents on the Plantation of Marshpee and Herring Pond, so called," passed on the 18th day of February, A. D. 1819.

*Resolved*, That His Excellency the Governor be requested to draw his warrant on the Treasurer, in favor of said Overseers, for the sum mentioned in the foregoing Resolve.

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## CHAP. LIV.

*Resolve on the petition of Thomas Kendall, Guardian of Hezekiah Smith Kendall, and other minors.*

March 2, 1830.

*Resolved*, For the reasons set forth in said petition, that Thomas Kendall, of Boston, in the County of Suffolk, guardian of Hezekiah Smith Kendall, Daniel Sharp Kendall, Rebecca Smith Kendall, Thomas Carey Kendall, and Samuel Davies Kendall, minors, be, and he is

hereby authorized, at any time within three months after the passing of this Resolve, to make and file in the Probate office in said County of Suffolk, his affidavit, setting forth the time, place, and manner, in which he gave notice of the sale of certain real estate belonging to said minors, situated in Haverhill in the County of Essex, and which the said Kendall was licensed to sell by virtue of an order of the Supreme Judicial Court begun and holden at Salem, within and for the said County of Essex, on the first Tuesday of November, Anno Domini, 1825, and such affidavit, being so filed, shall be evidence of the time, place, and manner in which such notice was given, and be as effectual for all purposes, as if the same had been made and filed in said Probate office within the time prescribed by law.

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## CHAP. LV.

*Resolve on the petition of David Child for permission to perpetuate evidence of notice of the sale of certain real estate.*

March 2, 1830.

*Resolved*, for reasons set forth in said petition, That David Child, of Groton, in the County of Middlesex, guardian of Deanna A. Staples, and Elizabeth F. Staples, minors, and children of Edward Staples, late of Shirley, in said county, deceased, be, and he is hereby authorized and empowered to file in the Probate office within said county, within four months from and after the passage of this Resolve, an affidavit that he gave notice of the sale of certain real estate of said minors, situate in Groton, Shirley, and Harvard, pursuant to a license of the Supreme Judicial Court of said Commonwealth; and such affidavit, being so filed, shall be evidence of said notice, and of the time, place, and man-

ner [in] which the same was given, as effectually as if such affidavit had been made and filed in the said Probate office within the time prescribed by law.

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## CHAP. LVI.

*Resolve on the petition of Mary Cook, and others.*

March 2, 1830.

On the petition of Mary Cook, and others, praying compensation for the support of certain paupers on Chappequiddic Island—

*Resolved*, That there be allowed and paid to said Mary Cook, out of the treasury of this Commonwealth, the sum of one hundred and thirty seven dollars, in full satisfaction of her account for the support of Bethiah Moses, a pauper; and that the Governor be authorized to draw his warrant on the Treasurer for the same.

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## CHAP. LVII.

*To the Honorable Senate,  
and House of Representatives.*

I refer to the consideration of the Legislature, a communication, addressed to the Governor and Council, by the Attorney General, in relation to the estate of one John B. Lewis, late resident in Weymouth, in the County of Norfolk, deceased, intestate, which in default of heirs, accrues, by escheat, to the Commonwealth. The property is represented to consist of promissory notes, monies, and other personal effects to the amount

of nearly one thousand dollars, for the security and collection of which, the intervention of an administration will be necessary. This authority has been denied by the Judge of Probate for the County of Norfolk, to the claim of a pretended creditor, who sought to obtain it ; and as the Commonwealth alone appears to be interested in the recovery of the property, the Attorney General asks for direction from the government, in reference to an application for letters of administration on the estate. It is very clear that the Executive Government have no jurisdiction of the matter, but that whatever provision may be necessary is with the Legislature. I beg leave, therefore, to recommend, that the Attorney General, or some other responsible public officer, be directed to apply for administration on the estate of the intestate, with instructions, thereafter to settle the same in the Probate Office of the County of Norfolk, and after discharging the debts, if any there be, and expenses of administration, to pay the proceeds into the Treasury of the State. It has been suggested to me that cases of similar character, though of minor importance, not unfrequently occur. The Legislature will best judge of the expediency of a general law, by the operation of which, in all such instances, the property may be placed in the hands of responsible agents, and the Commonwealth be secured in the interest which it may have in the just settlement of the estates of persons who die intestate, leaving no heir, who is legally entitled to the inheritance.

LEVI LINCOLN.

*Council Chamber, March 3, 1830.*

## CHAP. LVIII.

*Resolves authorizing the Governor, by and with the advice of the Council, to appoint a Surveyor to make a general survey of the Commonwealth.*

March 3, 1830.

*Resolved*, That His Excellency the Governor, by and with the advice of the Council, be, and he hereby is authorized and requested, to appoint a Surveyor well skilled in astronomy, and in the art of surveying upon trigonometrical principles, with such assistants as the said Surveyor may need, whose duty, it shall be, under the direction of His Excellency the Governor, to make a general survey of the Commonwealth, and from such survey, and such astronomical observations and calculations as may be made, to project an accurate skeleton plan of the State, which shall exhibit the external lines thereof, and the most prominent objects within those lines and their locations.

*And be it further Resolved*, That the Secretary of the Commonwealth, be, and he hereby is directed, to deliver to the Surveyor appointed as aforesaid, all such charts, maps, plans, and surveys, as have at any time been deposited in his office and now remain there, taking a schedule thereof from such Surveyor, who, when he shall have made such use of said charts, maps, plans, and surveys, as shall enable him the better to discharge the duties of his commission, shall return the same to the said Secretary's office.

*And be it further Resolved*, That His Excellency the Governor, by and with the advice of the Council, be, and he hereby is authorized, to draw his warrant from time to time, upon the Treasurer of the Commonwealth, for any sum or sums, to enable the said Surveyor to proceed in the execution of the duties of his commission, not exceeding two thousand dollars in the whole, such Surveyor accounting for the same.

## CHAP. LIX.

*Resolve on the petition of Nathan Adams, Administrator.*

March 3, 1830.

*Resolved*, For reasons set forth in his petition, that Nathan Adams, of Medford, in the County of Middlesex, administrator of the estate of Rebecca Adams, late of Boston, in the County of Suffolk, widow, deceased, intestate, be, and he is hereby fully authorized and empowered to sell and convey all the right, title and estate of the said deceased, in and to a certain house, and land under and adjoining thereto, situated in said Boston, upon Washington street, and bounded thereby towards the northwest, there measuring forty-five feet, towards the northeast on land of Samuel Cobb, seventy feet to an angle, then on a line running easterly by land of said Cobb six feet, and towards the east by a line running southerly at right angles with the six foot line last mentioned, there measuring forty-five feet, towards the southwest by land of Jonathan French, there measuring twenty-one feet to an angle, and from said angle in a right line by said French's land to Washington street aforesaid, with all the privileges and appurtenances, or however otherwise bounded, it being the same house and land which was conveyed to said deceased, by Lemuel Cushing, by deed bearing date the first day of August, A. D. 1826, and recorded in the Registry of Deeds in said County of Suffolk, (lib. 312, fo. 96,) for the payment of said deceased's just debts, and charges of administering her estate and incidental charges of said sale; the said administrator first giving bond, with sufficient surety, to the Judge of Probate for said County of Suffolk, to account to him for the proceeds of said sale, and in all things touching said sale to govern himself agreeably to the laws of said Commonwealth relating to the sale of real estate by executors and administrators for the payment of the debts of deceased persons,

where the whole, or any certain part of such real estates are to be sold : *And provided, also*, that said administrator first take the oath required by law of administrators previous to the sale of such estates.

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## CHAP. LX.

*A Resolve in relation to a Survey of a Canal Route between Buzzard's and Barnstable Bays.*

March 3, 1830.

*Resolved*, That His Excellency the Governor, be, and he hereby is, requested to procure from the Secretary of the Department of War, copies of any Reports, Estimates, or Documents, in that department, not heretofore furnished this Commonwealth, relating to the construction of a Canal across the Isthmus of Cape Cod, to unite the waters of Buzzard's and Barnstable Bays.

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## CHAP. LXI.

*Resolve authorizing the Adjutant General to convey land in Greenfield.*

March 3, 1830.

*Resolved*, That William H. Sumner, Adjutant General of this Commonwealth, be, and he is hereby authorized to convey by deed to Samuel Pierce, of Greenfield, all the right of the Commonwealth in and to a certain tract of land in the said town of Greenfield, on which the Gun House lately stood, and which was conveyed to the Commonwealth, by Abner Wells, on the twenty sixth day of October, in the year of our Lord one thousand

eight hundred and eleven, bounded as follows, beginning at the southeast corner of a lot of land, now, or formerly of said Wells, called the Corse lot, and on the road leading from Greenfield street to Gill, and extending southerly on said road twenty-six feet, thence westerly at right angles with the line of the road nineteen feet, thence northerly parallel with the said line of said road twenty-six feet, thence easterly nineteen feet to the first named boundary, or however otherwise the same may be bounded.

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CHAP. LXII.

*A Resolve concerning the Laws giving Remedies in Equity.*

March 3, 1830.

*Resolved*, That Lemuel Shaw, of Boston, be a Committee to collect, combine and digest, the several statutes giving remedies in equity, and to state, in detail, the proceedings and practice of the Supreme Judicial Court under those laws, and in what manner they come in aid of the administration of justice; also to inquire into the causes of delay, if any, which attend these remedies, and the means of their prevention, and further to state the comparative expenses of proceedings in equity, and cases at law; and that said committee proceed as soon as conveniently may be, in the execution of the purposes of this Resolve.

*And be it further Resolved*, That said Committee, after having performed the duties assigned by the foregoing Resolve, report the same to the Legislature, with his opinion thereon.



## CHAP. LXIII.

*Resolve on the petition of Mary Cook.*

March 4, 1830.

On the petition of Mary Cook, and others, praying for relief in the division of lands belonging to the native Indians on the Island of Chappequiddic;—

*Resolved*, for reasons set forth in said petition, that Daniel Fellows, jun. Esq., the guardian of said Indians, be, and he is hereby authorized and empowered to set off and assign such portions of the common and undivided lands on the island of Chappequiddic, other than those on Chappequiddic Great Neck, so called, as he may deem proper, to such person or persons as in his opinion may be justly and equitably entitled thereto, to supply any deficiency in the allotment of lands lately made among said natives by the Commissioners appointed by virtue of an Act passed the tenth day of March, in the year of our Lord one thousand eight hundred and twenty eight; and that the said Fellows take such measures, by commencing actions or otherwise, as he may deem expedient, to compel the white inhabitants on said island to build the line fence between them and said Indians, agreeably to the provisions of the existing laws of the Commonwealth on that subject.

## CHAP. LXIV.

*Resolve respecting the State Prison.*

March 4, 1830.

*Resolved,* That the Inspectors of the State Prison be requested to obtain all information in their power, without expense to the Commonwealth, on the subject of making some provision for a place of employment, or subsidiary establishment, for discharged convicts, who may choose to be employed, and for which they shall receive wages in proportion to their earnings, until they could otherwise find a settled employment through an honest medium, thus giving those who are desirous of reforming, an opportunity of sheltering themselves from the dangers of a relapse, which arise from being idle, and without the means of subsistence; and that said Inspectors lay before the next Legislature any information so obtained.

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## • CHAP. LXV.

*Resolve on the petition of Joseph Root.*

March 4, 1830.

*Resolved,* for reasons set forth in said petition, that there be allowed and paid to Joseph Root, out of the treasury of this Commonwealth, the sum of fifteen dollars and eighty two cents, in full for his services as acting Brigade Major and Inspector in the first Brigade and fourth Division of the Militia of this Commonwealth, from the twenty second day of April until the twelfth day of September, in the year of our Lord one thousand

284 F. COOLIDGE.—SAUGUS CONG. SOC.

eight hundred and twenty eight ; and His Excellency the Governor is hereby requested to draw his warrant upon the treasury therefor.

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CHAP. LXVI.

*Resolve on the petition of Flavel Coolidge.*

March 4, 1830.

*Resolved*, That Flavel Coolidge be released from the payment of the balance due from him to the Commonwealth for labour performed by convicts in the State Prison, amounting to the sum of seventy eight dollars and eighty five cents ; and the Warden of the Prison is hereby directed to discontinue the suit now pending against said Coolidge for the aforesaid sum.

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CHAP. LXVII. .

*Resolve on the petition of the First Congregational Society in Saugus, praying for leave to make sale of Ministerial Lands.*

March 4, 1830.

*Resolved*, That for reasons set forth in the said petition, the said society be and they are hereby authorized and empowered, by a Committee to be duly chosen by them for that purpose, to make sale of the real estate in said Saugus, belonging to said society, or such part thereof, as they may think proper : and to make and

execute good and sufficient deeds to convey the same to the purchaser, and the proceeds of said sale are to be paid by said committee to the assessors of said society for the time being, and they and their successors in said office shall take care of, and invest the same, (excepting so much thereof as may be necessary to discharge the existing debts of said society) for and in the name of said society ; and every investment, by them made, shall be secured by mortgage of real estate, to be estimated by them at least double the value of the sum invested ; and the income thereof, shall be annually appropriated for the support of the minister of said society.

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## CHAP. LXVIII.

*Resolve on the petition of John Kellogg.*

March 4, 1830.

*Resolved*, For reasons alleged in said petition, that there be allowed and paid, out of the Treasury of this Commonwealth, to John Kellogg, First Aid to the late Major General John Whiting, of the Seventh Division Massachusetts Militia, the sum of thirty-four dollars and sixty-six cents.

CHAP. LXIX.

*Resolve in favor of the Overseers of the Poor of the town of New Bedford.*

March 4, 1830.

*Resolved*, That, for reasons set forth in the petition of said Overseers, there be allowed and paid, out of the Treasury of the Commonwealth, to the Overseers of the Poor of the town of New Bedford, the sum of one hundred and thirty four dollars, for the benefit of said town; and His Excellency the Governor, with advice of Council, is requested to draw his warrant for said sum.

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CHAP. LXX.

*Resolve respecting Militia Fines.*

March 5, 1830.

*Resolved*, That the Adjutant General be directed to ascertain, so far as in his power, to whom militia fines were paid, (and not appropriated agreeable to law,) and give information of the same to the Attorney and Solicitor Generals, and that the Attorney and Solicitor Generals be directed to institute suits against all persons, in whose possession the aforesaid fines may be, if such person or persons, in the opinion of the Adjutant, and the Attorney and Solicitor Generals, be able to pay the same: *Provided*, the same are not paid into the State Treasury by the first day of July next.

## CHAP. LXXI.

*Resolve on the petition of William Henry.*

March 6, 1830.

On the petition of William Henry, of Chester, in the State of Vermont, Executor of the last will and testament of Josiah Goodhue, late of Hadley, in the County of Hampshire, Physician, deceased ;—

*Resolved*, for reasons set forth in said petition, that the said William Henry be, and he hereby is authorized to sell, at public sale, a certain lot of land, with the buildings thereon, situate in Hadley aforesaid, containing about one acre, and bounded northerly on land now or lately belonging to Hannah Gale and ——— Parmenter ; west on land now or lately belonging to William Billings ; south on Simeon Dickinson, and east on Middle-street, being the estate on which Harvey Dickinson lived in 1828, and which he conveyed to the said Goodhue in the month of December of that year, subject to a mortgage in favor of Nathaniel Coolidge, jun., of which estate the said Goodhue died seized and possessed, partly in his own right, and partly in trust for Edward Dickinson, Samuel Dickinson, and Elihu Dickinson, all of Hadley aforesaid ; and to make, execute, and deliver a good and sufficient deed or deeds thereof, to such person or persons as may purchase the same : *Provided, however*, that the said William Henry shall first give bond, with sufficient surety or sureties, to the satisfaction of the Judge of Probate for the County of Hampshire, to appropriate the net proceeds of said sale as follows, viz : to the estate of said Goodhue, deceased, the sum of one hundred and sixty one dollars and seventy four cents ; to the said Edward Dickinson the sum of thirteen dollars and ninety four cents ; and to the said Samuel and Elihu Dickinson the sum of two hundred and thirty nine dollars and thirty eight cents, in case said proceeds shall amount to the sum of four hundred and fifteen dollars and six cents ; but if the nett

proceeds of such sale shall fall short of said sum, then the loss shall be rateably borne by the estate of said Goodhue, deceased, and the said Edward Dickinson, and the said Samuel and Elihu Dickinson, according to their respective proportions as above stated: *And provided further*, that this resolve shall in no way affect the existing rights of any mortgagee of the premises.

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### CHAP. LXXII.

*Resolve authorizing the sale of certain real estate of Lois White and Lydia Shaw, minors.*

March 6, 1830.

*Resolved*, That Lemuel Humphrey and Hannah White, as the executors of the last Will and Testament of Joseph White, late of Weymouth, in the County of Norfolk, yeoman, deceased, for the reasons set forth in their petition, be, and they are hereby authorized and empowered, to sell at public sale, and pass deeds to convey that part of the real estate of said testator, for the payment of his just debts, which in his said last will, he devised specifically to his grand children, Lois White and Lydia Shaw, minors, and which is described in said will as follows, viz.—“My lot of land lying in Hingham, at Shute’s Plain, so called, being partly wood land, and partly pasture, containing thirty-three acres, more or less ;”—on condition, however, that said executors first give bonds to the Judge of Probate for the County of Norfolk, and comply with all the other conditions now required by law for the sale of real estate by executors and administrators. And upon the condition, also, that said executors first cause a Committee of three disinterested and judicious freeholders in said County of Norfolk, who shall be appointed by the Judge of Probate in said county, to appraise, set off, and assign,

## BELCHERTOWN & SUTTON BANKS. 289

to said minors, a part of the real estate of said testator not specifically devised, equal in value to the parcel of land hereinbefore specified to be sold, and cause the return of said Committee to be filed and recorded in the Registry of Probate in said County.

*Resolved*, That said minor children shall have and hold, to them and their heirs, said real estate, so to be assigned to them, in the same way and manner, as they would have held the land herein authorized to be sold, if this resolve had not passed.

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### CHAP. LXXIII.

*Resolve for payment of expenses incurred in investigating the affairs of the Belchertown and Sutton Banks.*

March 6, 1830.

*Resolved*, That there be allowed and paid, out of the Treasury of this Commonwealth, to John W. Lincoln, and John Wyles, jointly, the sum of thirty-six dollars and seventy cents; to Philo Dickinson, the sum of sixteen dollars; to Joseph Lyman, the sum of three dollars; amounting to fifty five dollars and seventy cents; and His Excellency the Governor, with advice of Council, is requested to draw his warrant for said sums accordingly.



## CHAP. LXXIV.

*Resolve in favor of the Selectmen and Overseers of the poor of the town of Fairhaven.*

March 6, 1830.

*Resolved*, That, for reasons set forth in the petition of said Selectmen and Overseers of the poor of Fairhaven, there be allowed and paid out of the treasury of this Commonwealth the sum of seventy dollars and sixty six cents; and His Excellency the Governor, with the advice of Council, be authorized to draw his warrant for said sum accordingly.

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## CHAP. LXXV.

*Resolve providing for the building of a Chapel at the State Prison.*

March 6, 1830.

*Resolved*, That there be erected, within the prison yard at Charlestown, and at the south end of the new cookery, and upon the same plan, a building suitable for a Chapel, the plan of which shall be first approved by His Excellency the Governor; and it shall be the duty of the Warden of said Prison to prepare the plan, and personally superintend the erecting of the same;— and that there be applied, out of any money appropriated for the use of the prison, the sum of nine hundred dollars, to defray the expense of said building.

*Be it further resolved*, That the Warden of the State Prison lay before the next General Court an accurate plan of such additions and alterations in the buildings within the prison yard, with estimates of the probable

cost, distinguishing such part as may be done by convicts, with such other information on the subject as he may think proper.

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## CHAP. LXXVI.

*Resolve on the petition of William Brown, Executor of the late William Brown, of Boston, Esquire.*

March 8, 1830.

On the petition aforesaid ;—

*Resolved*, That the said William Brown, for reasons set forth in his petition, be authorized, and he is hereby authorized and empowered to sell, to any person or persons whomsoever, at public or private sale, for cash or on credit, in whole or in part, and on such terms as he shall think most advantageous, and to pass good and sufficient deeds therefor, one undivided fourth part of the lot of land in Washington-street, lying in front of the mansion house of the late William Brown, and just south of the street leading to South Boston Bridge, of which land the said William Brown died seized ; and also one undivided fourth part of all the flats belonging to the estate of the said William Brown, deceased, lying in the rear of the said mansion house and of said lot of land ; being that portion of said land and flats in which Samuel L. Brown, one of the children of said William Brown, deceased, has an interest, under the will of said William ;—he the said petitioner investing the net proceeds of the land and flats sold by virtue hereof, agreeably to the provisions of the will of said William Brown, deceased, for the benefit of the said Samuel L. Brown, and his heirs at law : *Provided, however*, that the petitioner, the said William Brown, shall first give bond to the Judge of Probate for the County of Suffolk, with surety or sureties, in such sum

as shall be satisfactory to said Judge, faithfully to account for the proceeds of any sale which may be made under this Resolve.

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## CHAP. LXXVII.

*Resolve in favor of the town of Medford.*

March 9, 1830.

*Resolved*, That there be allowed and paid, out of the public treasury, to the town of Medford, the sum of one hundred dollars, which, together with the sum of seventy seven dollars and sixty three cents, allowed on Roll No. 102, reported by the Committee on Accounts the present session, will be in full discharge of the account of said town, for support of State paupers to the first of January 1830; and His Excellency the Governor is requested to draw his warrant accordingly.

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## CHAP. LXXVIII.

*A Resolve for paying the expenses of the Committee appointed to inquire into the doings of the Brighton Bank.*

March 9, 1830.

*Resolved*, That there be paid, out of the treasury of this Commonwealth, to John W. Lincoln, the sum of ten dollars and eight cents, it being in full for the expenses incurred by the committee appointed to inquire into the doings of the Brighton Bank, in the discharge of the duties of their appointment; and His Excellency

the Governor, with the advice of Council, is requested to draw his warrant accordingly.

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## CHAP. LXXIX.

*Resolve on the petition of Jonas Munroe.*

March 9, 1830.

On the petition of Jonas Munroe, of Lexington, in the County of Middlesex, yeoman, as administrator, with the will annexed, on the estate of Amos Smith, late of Roxbury, in the County of Norfolk, deceased, praying for leave to sell, at public or private sale, all the right, title and interest, which the said Smith, at the time of his decease, had in and to the real estate, described in said petition, and hereinafter set forth, and to convey the same accordingly;

*Resolved*, for the reasons set forth in said petition, that the said Jonas Munroe, as such Administrator with the will annexed, of said Amos Smith, be, and he hereby is fully authorized and empowered to sell, at public or private sale, for the benefit of the devisees named in the last will and testament of the said Smith, and of the heirs at law of such devisees, all the right, title, and interest, of which said Smith died seized and possessed, in and to the two parcels of real estate herein described, to wit: one parcel situate in said Roxbury, bounded northwesterly on Washington-street, northeasterly on land of Kendall Brooks, southeasterly on land of Charles Davis, and southwesterly on land of Gardner and Lemist; also one other parcel of land situated in said Roxbury, and bounded southeasterly on said Washington-street, southwesterly on land of Charles Davis, northwesterly on the road leading from said Roxbury to Dorchester, and northeasterly on land of Charles Brad-

bury ; and by deed or deeds, duly executed, acknowledged and recorded, to convey the same accordingly, to the purchaser or purchasers thereof: *Provided*, the said Administrator, with the said will and testament annexed, first make oath before the Judge of Probate in and for the County of Norfolk, to act faithfully and impartially, according to his best skill and judgment, in making said sale, and give bond, with sufficient sureties, to the said Judge, to act as aforesaid in making said sale ; and to account for, and make payment of the proceeds of said sale, to the persons entitled thereto, agreeably to the rules of law.

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#### CHAP. LXXX.

*Resolve upon the petition of Rufus Fiske, Guardian.*

March 9, 1830.

Upon the petition of Rufus Fiske, as he is guardian to Anson J. Stone, Milton J. Stone, Lucinda R. Stone, Henry N. Stone, and James W. Stone, minors, under fourteen years of age, and children of Joseph Stone, of the City of Boston, in the County of Suffolk, Woodwharfing, deceased, intestate, praying that he may be authorized and empowered to lease certain real estate, belonging to said minors, situate at the northerly part of said City, and described in said petition, for a term of time not exceeding nine years and four months ; and not extending beyond the twenty eighth day of June, which will be in the year of our Lord one thousand eight hundred and forty, when the eldest of said minors will arrive at the age of twenty one years ;

*Resolved, by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the said Rufus Fiske, as he is guardian to said Anson J. Stone, Milton J. Stone, Lucinda R. Stone, Henry N. Stone, and James W. Stone, minors, under*

fourteen years of age, be, and he is hereby authorized and empowered, to demise and lease the said real estate, or any part thereof, by public auction, or at private sale, as the said guardian shall judge best, for the most rent that can be obtained therefor, and for any term of time or times, not however to exceed the period of nine years and four months, and not to extend beyond the twenty eighth day of June which will be in the year of our Lord one thousand eight hundred and forty, when the said Anson J., the eldest of said minors, will arrive at twenty one years of age; and upon such terms, conditions, restrictions, and limitations, as the said guardian shall from time to time determine to be most permanently beneficial to said minors; and to seal, execute, acknowledge, and deliver, good and sufficient deed or deeds, to demise and lease the same as aforesaid.

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## CHAP. LXXXI.

*Resolve making an appropriation in aid of the New England Asylum for the Blind.*

March 9, 1830.

*Resolved*, That there be paid, out of the treasury of this Commonwealth, to the New England Asylum for the Blind, the unexpended balance, during the current year, of the amount of the appropriation for educating the Deaf and Dumb, authorized by a resolve of February 7, 1829; and that the Governor of the Commonwealth be authorized to draw his warrant accordingly, for the balance of said appropriation now in the treasury, and a like warrant, in May next, for such balance as then may remain.

*Resolved*, That the unexpended balance of said appropriation, which may remain from time to time, after the current year, be paid to said Asylum, upon the warrants of the Governor, unless other disposition be made thereof by the General Court.

CHAP. LXXXII.

*Resolve repealing a resolve passed February 15, 1814.*

March 9, 1830.

*Resolved*, That a resolve passed the fifteenth of February, in the year of our Lord one thousand eight hundred and fourteen, directing the Committee on Accounts to allow certain accounts of the Massachusetts Agricultural Society, be, and the same is hereby repealed; and instead of the sum of one thousand dollars, allowed by said resolve to be paid to the said Trustees, there shall be paid, for one year, six hundred dollars to the Trustees of the Massachusetts Agricultural Society, for the use of the Botanic Garden, in the manner specified in the resolve of 1814.

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CHAP. LXXXIII.

*Resolve for erecting a Lunatic Hospital.*

March 10, 1830.

*Resolved*, by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That His Excellency the Governor, by and with the advice and consent of Council, be, and he is hereby authorized and empowered to purchase a lot of land within this Commonwealth, and procure a deed thereof in the name of the Commonwealth, which shall be an eligible site for a Lunatic Hospital; regard being had, in the selection of such site, to the centre of population, and to the cheapness of labor and materials for the construction of said Hospital; and that His Excellency the

Governor, with the advice and consent aforesaid, appoint a board of three Commissioners, who shall cause to be erected, on said site, a Hospital, suitable for the accommodation of a Superintendant, and of one hundred and twenty Lunatics or persons furiously mad; and that said Commissioners shall have power to make all necessary contracts for, and to appoint agents to superintend the erection of the same; and shall also ascertain and report to His Excellency, a system of discipline and government therefor, at or before the time when the same shall be completed. And said Commissioners shall present all their accounts to the Governor and Council, to be by them audited and allowed as they shall deem just.

*And be it further Resolved, That, to defray the expenses of erecting said Hospital, His Excellency the Governor, by and with the advice and consent aforesaid, be, and he hereby is authorized to draw his warrant, from time to time, upon the Treasurer of this Commonwealth, for the necessary sums of money, not exceeding in the whole thirty thousand dollars.*

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#### CHAP. LXXXIV.

*To the Honorable Senate,  
and House of Representatives.*

Major General Shepherd Leach having tendered his resignation of the command of the Fifth Division of the Militia, has, this day, been honorably discharged. As the Constitution devolves the election of a successor upon the two branches of the Legislature, I seize the earliest moment to present this communication for their official notice.

LEVI LINCOLN.

*Council Chamber, March 10, 1830.*



## CHAP. LXXXV.

*Resolve authorizing the Trustees under the Will of James Perkins, late of Boston, deceased, to convey certain real estate.*

March 11, 1830.

On the petition of Thomas H. Perkins, Samuel G. Perkins, and William H. Gardiner, executors of and trustees under the last Will and Testament of James Perkins, late of the City of Boston, merchant, deceased, and of Edward H. Robbins, guardian of the minor children of said James Perkins, praying that the trustees, under said Will of said Perkins, may be empowered to sell and convey certain real estate devised to them in and by said will in trust for the benefit of said minors.

*Resolved*, For the reasons set forth in said petition, that the trustees under the last will and testament of James Perkins, late of the City of Boston, merchant, deceased, be, and they hereby are authorized and empowered, to make, and execute, good and sufficient deeds, of the real estate hereinafter described, situate in the City of Boston, and that such deeds, when duly acknowledged and recorded, shall pass to the purchaser or purchasers of said real estate, all the right, title, interest and estate which the said James Perkins had in and to the same, to wit :—One undivided fourth part of four lots of land, situate at Wheeler's Point, so called, bounded and described as follows ;—One bounded easterly eighty feet on Sea street ; southerly on land now or late of Isaac P. Davis, one hundred and eighty feet ; westerly on a thirty feet street, laid out by Hatch and others, eighty-two feet ; northerly on land formerly of Uriah Cotting. One other lot bounded westerly on Sea street twenty feet, northerly on land formerly of Uriah Cotting, one hundred and three feet ; easterly on a forty feet street twenty feet ; and southerly

on a thirty feet street one hundred and three feet. One other lot, bounded easterly on Sea street eighty feet; northerly on land formerly of Joseph Woodward, and others, two hundred and eighty feet; westerly on said street, laid out by Hatch and others, eighty two feet; southerly on the flats hereinafter described, three hundred feet. One other lot, opposite to the last described lot, bounded westerly on Sea street eighty-eight feet; northerly on land of Thomas H. Perkins, running easterly to the channel, or low water mark; southerly by the flats hereinafter described. Also, one undivided sixteenth part of the flats, bounded northerly by the two last described parcels of land; easterly and southerly by the channel, or low water mark; and westerly by the said thirty feet street, laid out by Hatch and others, and lying on both sides of Sea street. Also, three undivided sixteenth parts of the following described wharf, and flats, situate at South Boston, so called, viz: one piece beginning thirty feet westerly of a wharf, built by John Winslow, on the stone abutment of the made land of the South Boston Association, and running northerly to the channel in a line parallel with said wharf; then easterly with the channel to flats, now, or late, of Dix, Brinley and Hall; then southerly along the line of said Dix, Brinley and Hall, to the abutment aforesaid; thence westerly along said abutment to said point of beginning. One other piece of flats, bounded southerly on said abutment one hundred and ten feet; westerly on said flats of Dix, Brinley and Hall; northerly by the channel; easterly by a line drawn from the channel to said abutment, parallel to, and one hundred and ten feet distant, from the easterly line of said Dix, Brinley and Hall. Also, one undivided moiety or half part of a certain piece of land, situate at the westerly part of said City of Boston, known as lot number one, on a certain plan drawn by Charles Bulfinch, and recorded with Suffolk deeds; bounded easterly on a new street leading from Southack street to West Boston bridge, nineteen feet; southerly on land now, or late, of Tuckerman, Shaw and Rogers, eighty feet; westerly on land now, or late, of Silas Whitney, junior, nineteen

feet ; northerly on lot number two, on said plan, eighty feet. Also, one undivided moiety or half part of a certain parcel of land, situate at South Boston, at the corner of G street and Fourth street, bounded northerly on Fourth street, two hundred and sixty-two feet ; easterly on G street, two hundred and sixty-six feet ; southerly and easterly again on land now, or late, of Lincoln ; and southwesterly on land now, or late, of Newman, and westerly on land now, or late, of Tudor, two hundred and forty feet to Fourth street. *Provided*, That said trustees shall not sell any part of said real estate at private sale, at a price less in proportion, than that for which the other tenants in common thereof shall bona fide sell their respective shares thereof ; and that no deed of any part of said real estate, shall be executed by said trustees, until they shall have given the bonds required by law, to be given by executors and administrators on the sale of real estate belonging to their testators and intestates.

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#### CHAP. LXXXVI.

*Resolve on petition of Trustees of the Charity of Edward Hopkins.*

March 11, 1830.

Whereas, by a certain Resolve passed on the fourteenth day of November, A. D. 1787, it was provided and declared, that the tenants of the lands in the towns of Hopkinton and Upton, held under leases from the Trustees of the charity of Edward Hopkins, (which lands, by an act passed in the year 1741, were directed to be rated, from time to time, for what they were worth above the rents reserved in said leases) should henceforward be taxed in common with other inhabitants of the Commonwealth, in the same manner as though said lands were held in fee simple, and that the said rents

should be paid by the Treasurer of the Commonwealth to the Treasurer of the said Trustees, on the twenty fifth day of March, annually; and, whereas, the said annual rents, which, at the time the said resolve was passed, amounted to the sum of two hundred and twenty two dollars and twenty two cents, were regularly paid to the Treasurer of the said Trustees, out of the treasury of the Commonwealth, according to the provisions of the said resolve, until the twenty fifth day of March, A. D. 1823, when the said rents, by the terms and provisions of the said act, passed in the year 1741, became trebled, and the whole of said trebled rents have remained in arrear and unpaid ever since, to the great injury of the said trust; and, whereas, the said rents cannot be collected of the persons now holding the said leased lands, except by very numerous law suits, and great expense, if at all; and the said Trustees have petitioned this Legislature for relief, praying that the Legislature may provide some means by which the rights of the said Trustees, and the obligation of the said tenants, may be settled and determined in some summary and equitable manner, unless it shall be considered just and equitable that the said rent charge should be assumed by the Commonwealth, and hereafter paid out of the public treasury; and, whereas, it is very desirable that a compromise and permanent adjustment should be made, by which it may be settled and determined what portion of said rent, if any, shall be paid out of the treasury of the Commonwealth to said Trustees, and what portion thereof, if any, shall be paid by the said tenants or otherwise extinguished by them, by the payment of a sum of money, and what portion of said rents, if any, shall be relinquished by the said Trustees, for the sake of a compromise and settlement, if the same may be done with the approbation of the Legislature;—

*Therefore, Resolved,* That the Hon. Solomon Strong of Leominster, and the Hon. Nathan Brooks of Concord, be appointed Commissioners, and that they be authorized and empowered, after giving due and reasonable notice to the said Trustees, of the time and place of their meeting, and also to the persons holding lands un-

der leases of the said Trustees, by causing notifications of the same to be posted up in at least two public places in said Hopkinton, and also in said Upton, seven days at least before the said meeting—to hear the said Trustees and the said tenants, on the subject of the said petition and memorial, and to ascertain what portion of the said rents now due, and hereafter to become due, if any, the said tenants will consent to pay, or what sum of money they will agree to pay said Trustees for the extinguishment of their claim to rent under said leases; and in what manner, and on what terms and conditions; and if, in their opinion expedient, to obtain from said tenants, or any of them, such security as they may think adviseable for the performance of the agreement on their part; and also to ascertain on what terms the said Trustees will make a settlement and determination of their claim to rents under said leases, and what portion thereof, if any, they will consent to relinquish; and on what terms and conditions; and if, in their opinion expedient, to obtain from said Trustees such security as they may think adviseable for the performance of the agreement on their part; and also to consider and examine what portion of said rent, if any, the Commonwealth ought in equity to pay hereafter, or what sum of money as an equivalent therefor, and on what terms and conditions. And the said Commissioners are hereby authorized and empowered to investigate the subject of the said petition and memorial, and to make a full report of their doings under this resolve, and in what manner the claims of said Trustees can be, or ought to be, adjusted and determined, at the first session of the next General Court.

WORCESTER COUNTY.—DORIC HALL. 303

CHAP. LXXXVII.

*Resolve to pay the County of Worcester for the use of their House of Correction.*

March 11, 1830.

*Resolved*, That there be allowed, and paid, to the Treasurer of the County of Worcester, from the Treasury of this Commonwealth, for the use and occupation of so much of the House of Correction in said County, as has been used by the convicts sentenced to the same, in any County except the County of Worcester, by the Justices of the Supreme Judicial Court, or either of them, since the twenty-first day of February, in the year of our Lord one thousand eight hundred and twenty-seven, at the rate of three hundred dollars per annum; and His Excellency the Governor, by and with the advice of Council, is hereby authorized to draw his warrant on the State Treasury, for such sum as may be due to the County of Worcester, for the use, by the Commonwealth, of their House of Correction.

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CHAP. LXXXVIII.

*Resolve for coloring and painting the walls and columns of the Doric Hall of the State House.*

March 11, 1830.

*Resolved*, That His Excellency the Governor be requested and authorized to cause the walls and columns of the lower hall of the State House, to be colored and painted; and to draw his warrant on the Treasurer of the Commonwealth for the amount of the expense, not exceeding one hundred and fifty dollars.

## CHAP. LXXXIX.

*Resolve to pay Agent to visit Chappequidic Indians.*

March 11, 1830.

*Resolved*, That there be allowed and paid from the Treasury of this Commonwealth to Kilborn Whitman, Esq. for his expenses and services in visiting the Indians at Chappequidic on Martha's Vinyard, the sum of forty-five dollars and fifty cents, and the Governor, with the advice of Council, is requested to draw his warrant accordingly.

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## CHAP. XC.

*To the Honorable the House of Representatives :*

An engrossed bill, entitled "An Act making further provisions respecting Costs in certain cases," was laid before me on the eighth instant, for my examination and approval; and, upon careful and deliberate consideration, I return the same to the House of Representatives, where it originated, with my objections to the enactment of the Fourth Section, *in the form in which it is now presented*. The whole of that section seems to me to be ambiguous, and of doubtful construction, and certain of its provisions somewhat inconsistent with, and repugnant to each other. Upon recurring to the papers accompanying the parchment, it will appear that the original draft of the bill was reported by the Judiciary Committee of the House, and passed, in that branch, to be engrossed, without amendment. In the Senate, on the second reading of the bill, the original fourth section was stricken out, and a substitute adopted; and the bill, on the same day, was returned to the House, where the proposed amendment was concurred in. In this rapid progress, it is probable, that the objections which I shall take leave now more particularly to suggest, escaped the notice of the Legislature; and

I derive from the circumstance greater confidence of being sustained, in respectfully referring the subject again to their attention.'

The fourth section of the bill proposes a repeal of so much of an act passed on the 13th of October 1784, entitled "An Act prescribing forms of writs in civil cases, and directing the mode of proceeding therein," as requires the indorsement of original writs which issue from the Supreme Judicial Court and Court of Common Pleas, when the plaintiff is an inhabitant of the Commonwealth, and contains a proviso, that, in such cases, if the plaintiff, after the commencement of the suit, shall have removed from the Commonwealth, the court in which the action is pending may, in their discretion, order a *sufficient new indorser*. It is obvious from the construction of the language which respects the repeal of the former act, taken in connexion with the proviso, that a *sufficient new indorser* is contemplated in cases, where no *original* indorser, after the repeal, could be required. If this section passes into a law, an inhabitant of the Commonwealth may thereafter commence his action by original writ, without indorsement. To provide, therefore, that, upon his subsequent removal from the Commonwealth, he shall procure a *sufficient new indorser*, when there was no previous indorsement of the process, is, at least, an incongruity in terms, which, if it shall create no necessity for judicial construction, it were best should be avoided in a solemn act of legislation.

The objection, however, is not confined to the phraseology of the enactment. It may well be doubted whether the remedy, intended to be given against the indorser, is secured by the bill. The provision is in express terms, that the defendant, shall, in all cases, have *the same remedy* against any *new indorser*, and may declare against him, *in the same manner*, as if he had been the original indorser of the writ. This is to be the measure of his liability. He is to be as responsible as an original indorser would have been, had not the provision in the act of 1784 been repealed. Yet the repeal of the provisions of that act dispenses with the occasion of *any* indorser, and thus the liability is de-



stroyed with the obligation of indorsement. The reference is to the dead letter of a repealed law. The statute which before required that all writs should be indorsed, made the indorser liable, and, when repealed, the remedy ceases with the liability. The indorsement for which the present bill provides is, in itself, an independent and original act, and the liability and the remedy upon it should be clearly and distinctly determined by express and direct enactment.

There may also be a question, whether, by a regard to a grammatical construction of the expression, "when any plaintiff shall have removed," &c. the operation of the provision would not be limited to suits which have already been commenced, and the prospective effect, manifestly intended by the Legislature, be defeated. At best, the fourth section, cannot, I humbly conceive, be considered otherwise than as uncertain and equivocal, and it may be made the undesirable occasion of much useless and expensive litigation.

In this view of the subject, I am induced to submit the bill to the revision of the Legislature, that the objections, if well taken, may be obviated by a new enactment, or otherwise disposed of. I beg to be understood as interposing no opinion upon the principle of the provision contained in the fourth section, but, as strictly confining my remarks to the want of certainty, distinctness and consistency in the terms in which it is expressed. The expediency of the law is for the wisdom of the Legislature to determine, and to that, with entire deference, it is respectfully submitted.

LEVI LINCOLN.

*Council Chamber, March 11, 1830.*

[NOTE. The above Message having been read in the House of Representatives was, together with the accompanying Bill, referred to the Committee on the Judiciary, who afterwards reported, "that, in the opinion of the Committee, the reasons assigned by His Excellency against the passage of said Bill are sufficient;"—whereupon the question being stated from the Chair—shall the Bill making further provisions respecting costs in certain cases pass, the Governor's objections to the contrary notwithstanding?—it was determined in the negative, as follows, viz. Yeas none. Nays one hundred and seventy-one; so said Bill was rejected."]

CHAP. XCI.

*Resolve providing for the pay of Clerks.*

March 12, 1830.

*Resolved*, That there be paid, out of the treasury of this Commonwealth, to the Clerk of the Senate, eight dollars per day ; to the Clerk of the House of Representatives ten dollars per day ; and to the Assistant Clerk of the Senate six dollars per day, for each and every day's attendance they have been, or may be employed in that capacity during the present session of the Legislature ; and that there be further paid to the Clerk of the Senate and the Clerk of the House of Representatives, one hundred dollars each, for copying the Journals for the Library, as required by the orders of the two branches of the Legislature ; and His Excellency the Governor, with the advice of Council, is requested to draw his warrant accordingly.

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CHAP. XCII.

*Resolve making an appropriation for the Quarter Master General's Department.*

March 12, 1830.

On the memorial of William H. Sumner, acting Quarter Master General ;—

*Resolved*, That the sum of five thousand dollars be, and hereby is appropriated, to defray the expenses of the Quarter Master General's Department ; and that His Excellency the Governor, by and with advice of Council, be requested to draw his warrant on the Treasurer for the same, for such sums, and at such

times as the public service shall require, in favor of the acting Quarter Master General, for the faithful application of which he is to be accountable.

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## CHAP. XCIII.

*Resolve on the petition of Benjamin F. Varnum, Guardian of Lucy Jane Parker Richardson.*

March 12, 1830.

*Resolved*, for reasons set forth in said petition, that Benjamin F. Varnum, of Dracut, in the county of Middlesex, guardian of Lucy Jane Parker Richardson, a minor, daughter of John C. Richardson, late of Methuen, in the County of Essex, deceased, be, and he hereby is authorized, at any time within three months after the passing of this resolve, to make and file in the probate office, in said County of Essex, his affidavit, setting forth the place and manner in which he gave notice of the sale of certain real estate of said minor, situate in said Dracut, and which the said Varnum was licensed to sell by virtue of an order of the Supreme Judicial Court; and such affidavit, being so filed, shall be evidence of the time, place, and manner in which such notice was given, and be as effectual for all purposes, as if the same had been made and filed in said probate office within the time prescribed by law.

CHAP. XCIV.

*Resolve respecting School Returns.*

March 12, 1830.

*Resolved*, That the Secretary of the Commonwealth be directed to cause one thousand copies of the abstract of School Returns to be printed; one copy thereof for each member of the Legislature, one copy thereof to be sent to the Town Clerk of the several towns, and twelve copies thereof to the City Clerk of the City of Boston.

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CHAP. XCV.

*Resolve in favor of the Town of Shirley.*

March 12, 1830.

*Resolved*, That there be allowed and paid, out of the public Treasury, to the town of Shirley, the sum of three hundred and seventy-two dollars and thirteen cents, being the amount due to said town, for the support of State Paupers, to the first of January 1830. And His Excellency the Governor is requested to draw his warrant accordingly.

## CHAP. XCVI.

*Resolve respecting Surveys of Routes for Rail Roads.*

March 12, 1830.

*Resolved*, That the Senators in Congress from Massachusetts be requested to make application to the General Government, to have a route surveyed for a Rail Road from the City of Boston to Lake Champlain. Also, a route for a Rail Road from the Connecticut River, over or round the Hoosac Mountain, in the best direction, to Troy upon the Hudson River.

*Resolved*, That His Excellency the Governor, be requested to forward a copy of the above Resolve.

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CHAP. XCVII.

*Resolve for paying the Chaplain of the Senate.*

March 12, 1830.

*Resolved*, That there be allowed and paid out of the Treasury of this Commonwealth to Rev. Ralph W. Emerson, Chaplain of the Senate, sixty dollars, for his services the present political year; and that His Excellency the Governor, be, and he hereby is authorized to draw his warrant therefor.

## CHAP. XCVIII.

*Resolve for paying John V. Low.*

March 12, 1830.

*Resolved*, That there be allowed and paid from the Treasury of this Commonwealth to John V. Low, Assistant Messenger to the Governor and Council, two dollars per day, for each and every day he has been, or may be, employed in that capacity during the present session of the Council; and his Excellency the Governor, with the advice and consent of Council, is authorized and requested to draw his warrant on the Treasury accordingly.

## **ROLL, No. 102.**

### **JANUARY SESSION, 1830.**

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The COMMITTEE ON ACCOUNTS having examined the several accounts for support of State Paupers presented to them, Report,

That there are due to the several Corporations and persons hereinafter mentioned, the sums set to their names respectively, which, when allowed and paid, will be in full discharge of said accounts, to the dates therein mentioned ; which is respectfully submitted.

By order of said Committee,

ELIHU HOYT, *Chairman.*

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#### **PAUPER ACCOUNTS.**

Attleborough, for support of Thomas Riley, Mary Montgomery, Ann Bromely, and her four children, viz. Mary, Betsey, Eleanor, and James, Peggy Taylor till her death, and Susan Wales, to January 1, 1830.

**\$267 54**

Andover, for support of Sukey Hornsby, Martha Wright, Elijah Bean, Lavinia Bean, Peter Sigorney and wife, (coloured), and the following children, viz. Hannah Highland, George White, Isabella White, and James,

# PAUPER ACCOUNTS.

313

Maria, Lavinia and Eleanor, children of Elijah Bean, to Jan. 1, 1830.	283 50
Amesbury, for support of Robert Baker and James Richards, to January 2, 1830,	55 80
Athol, for support of Fanny Salmon and her two children to October 1, 1829, and James Cline, to April 15, 1828,	8 60
Ashby, for support of John M'Roberts, and his two children, John Alexander and Charles Edward, and funeral charges of said John M'Roberts, to January 2, 1830,	46 00
Ashburnham, for support of Mrs. Stineger, William Stineger, and Hiram Stineger, a child, to January 19, 1830,	119 60
Acton, for support of Thomas Jones, to June 26, 1829,	19 80
Alford, for support of William Golburn, and the following children: Justus Glynn, Mi- nerva Smith, and Henrietta, (a black), to January 1, 1830,	128 79
Abington, for support of Antonio Julio and Margaret Jack, to February 3, 1830,	63 00
Adams, for support of Phila Hill, Jemmy Der- ry till his death, Jenny Denny, Robert Har- ris, Sarah Goodrich, Sarah Dodge, Agnes Morris, Eben'r Lilly, Uriah Carpenter, till his death, Chester Dean, a child, to January 5, 1830,	235 19
Brighton, for support of John J. Baker, to January 7, 1830,	46 80
Beverly, for support of Dolly Claxton, Rich- ard Dorain, Catharine Dorain, Jacob Wheel- er, Thomas Brown, Francis Thomas, John Miller, James Canfield, Sally Boyle, John Bateste, Henry Mason, Catharine Came- ron, Elizabeth M'Greve, Bridget Clayton, Mary Dulem, Paul Peterson, and the follow- ing children, viz. Joseph Cameron, Benja- min Cameron, James, Alfred and Charles H. M'Greve, William H. Dulem; also sup-	



plies to John Kelly, and funeral expenses of Charles M'Greve, to January 1, 1830,	346 57
Billerica, for support of James Dunn, till his death,	34 25
Barre, for support of Dinah Bocke, James Davis, jun., and Elizabeth Walker, to January 5, 1830,	112 70
Becket, for support of Widow Siba Hamblin and Maria Parker, to January 4, 1830,	57 60
Belchertown, for support of Hannah Levins, Joel Lillie, Susanna M'Intire, and the following children, viz. Fidelia Barden, Armedia Barden, and Lucinda M'Kee, to January 1, 1830,	164 08
Brookfield, for support of Sarah Adams, and Wyman Adams, a child, to January 1, 1830,	218 40
Berkley, for support of Mary Lindel, Jacob Toney, and John Bowers till his death, to January 1, 1830,	70 70
Bridgewater, for support of John Chesnut and wife, Joanna F. Bignier till her death, Amy Ward, and Samuel, her child, to January 14, 1830,	143 70
Boston, for support of sundry paupers in House of Reformation for Juvenile Offenders, to December 31, 1829,	441 36
“ For support of sundry paupers in the House of Industry, to December 31, 1829,	6,358 55
“ For supplies to sundry paupers, to December 31, 1829,	1,269 73 -
Brimfield, for support of John Sherburne, Thomas Corbin, and James Hunter, to February 2, 1830,	141 93
Bellingham, for support of Sarah Arculus till her death,	7 70
Burlington, for support of John A. Pashoe, and Venus Roe, to January 28, 1830,	93 60
Bradford, for support of Sarah Kenny, to January 8, 1830,	30 60

Braintree, for support of Titus, a coloured man, Christopher Joseph, Ann Gawith, and her three children, Joseph, Mary Ann, and Ann Maria, to January 1, 1830,	218 40
Clarksburg, for support of Naomi Hill, and her three children, Diantha, Malvina and William, and James Cook, to January 3, 1830.	98 40
Concord, to support of Samuel Platt and Henry Wiggins, till their death,	15 53
Charlton, for support of Robert Bennet, Catharine Green, and a child of said Catharine, to December. 31, 1829,	59 97
Colrain, for support of Peter R. Hart, Samuel Dean, till his death, Betsy Hart and her three children, Cate Vanvaltenburg, Lucy Freeman, and her two illegitimate children John and Lucy, and Stephen, illegitimate child of Sally Hart, to January 5, 1830,	241 26
Cheshire, for support of Noel Randall, Polly Cooper, Ephraim Richardson, and Molly Dimon, to January 9, 1830,	118 80
Charlemont, for support of Hannah Lewis, to February 4, 1829,	22 25
Charlestown, for support of, supplies to, and funeral expenses of sundry paupers, to January 13, 1830,	3,388 25
County of Essex, for support of sundry paupers in the House of Correction, to October 14, 1829,	555 95
Carver, for support of Martin Grady, to January 1, 1830,	46 80
Chelmsford, for support of Joanna M <sup>c</sup> Lane, Betsy Daniels, till her death, and John, Mary Ann, and Lucinda, children of said Betsy Daniels, to January 1, 1830,	73 70
Canton, for support of Nancy Steptoe, and her two children Betsy and William, Hannah Buckley, John Dewhurst, Huldah Peirce, Jeremiah Bancroft, and Mather Gaffany and	

James Gaffany, children, to January 14, 1830,	120,72
Cambridge, for support of sundry paupers, to January 26, 1830,	2,962 80
Chelsea, for support of Betsy Jones, Edward and John Jordan, to January 7, 1830,	75 08
Conway, for support of Hannah Hall and Sally M <sup>c</sup> Murphy, to September 17, 1829,	24 17
Deerfield, for support of Daniel Ellis; Lovina Witherell, Prince Emanuel, Lydia Rock, Thomas Sowerby, Mehitabel Sowerby, Luke Weems, Ally Weems, Bridget Cook, and Cady Cook, a child, to Jan. 1, 1830,	111 16
Dalton, for support of Richard Hoose, Laura Barker, John Williston, and Charles M <sup>c</sup> Kee, a child, to January 3, 1830,	64 68
Dedham, for support of an anonymous female, John Jerome, Robin Clue, James Walker, Abraham Darling, Paul Cane, and Abel Whitney, to January 1, 1830,	148 75
Dudley, for support of Allsbury Reynolds, Sarah Reynolds, Robert Bennett, Sarah Wilson, and William Sloan, a child, to January 12, 1830,	102 85
Dracut, for support of Moses Freeman, Mrs. Hadley's child, William Laiton, wife of Robert Casleys and six children, the eldest aged 10 years, and youngest 16 months, to February 10, 1830,	121 35
Dorchester, for support of John Graham, George Rounds, Robert Latheon, Timothy Lynch, John Bryan, Nathaniel Houston, Thomas Melburn, Phebe Ann Nixon, Patrick Nolen, Lawrence Hackett, John Brown, and the following children, viz. Dennis Hogan, James Hogan, Mary Ann Nixon, Hamilton Nixon, George Nixon, and supplies to Widow Bergen, to January 1, 1830,	72 98
Dighton, for support of Molly Fish, to February 1, 1830,	31 50
Danvers, for support of Owen Mellen, John	

Fitzgerald, Cesar Wilcox, James Wallis, Morace Foley, John Henley, John Dury, Joel Wesson, Matthew Fairservice, Mary Dings, and her two children John and Catharine, Maria Clark, John Clark, Alpheus Nichols, to January 27, 1830,	265 82
Henry Davis, Guardian, for supplies to Dudley Indians, to January 1, 1830,	104 88
Eastham, for support of Benjamin F. Johnson, to January 1, 1830,	46 80
Easthampton, for support of Submit Bailey, and Ozias and Charles, children of said Bailey, to January 8, 1830,	45 00
East Bridgewater, for support of Lucinda Nero and child, Betsy Chase, Nathaniel Lawrence, Elihu Stevens, Meribah Williams, Robert Sever, Joseph S. Perry, Charlotte Wood, Asa Mingalls, and John and Mary Williams, children of Meribah Williams, to January 7, 1830,	301 02
Egremont, for support of Benjamin Dayley, Betsy Dayley, Isaac Freeman, Rosanna Van Guilder, Reuben Van Guilder, Andrew M'Carron, Peggy M'Carron, Sally Francis, and the following children, viz. George Augustus Cline, William Race, and Nancy Race, to January 14, 1830,	361 60
Essex, for support of Samuel Coleman, to November 26, 1829,	46 80
East Sudbury, for support of Mary Grange, to January 1, 1830,	2 70
Fitchburg, for support of Thomas Alexander Riley, to January 13, 1830,	38 44
Freetown, for support of Abigail, an Indian, to August 6, 1829,	25 33
Foxborough, for support of Sally Donaldson and Caroline G. Howe, to January 1, 1830.	20 83
Falmouth, for support of Edward Edwards, to January 19, 1830,	46 80
Framingham, for support of Daniel Campbell, and Phebe Blake, a child, to Jan. 9, 1830,	101 50

Fairhaven, for support of Philip Wing, John Bisamore, Akas Sisson, Sarah Carr, John Carr, a child, Sarah Demas till her death, Delila Webster till her death, Petrina Mulday, John Quinn, William Wilson, Margaret Wilson, and Catharine Francis till her death, to January 1, 1830,	401 19
Granville, for support of Mary Barden, Sally Stuart, and Samuel Gallup, to January 20, 1830,	92 30
Groton, for support of Richard Brenton, Eunice Brenton, and Molly Rolfe, to January 10, 1830,	140 40
Greenfield, for support of Oliver Bates' child, and Caroline Goland, child of Eliza Goland, to January 1, 1830,	78 00
Grafton, for support of Joseph Phillips, Stephen Phillips, a child, and Francis L. Whitaker, a child, to January 28, 1830,	98 80
Greenwich, for support of Eliza Underhill, to September 1, 1829,	8 75
Gloucester, for support of Elizabeth Dowsett, Anna Jowling, Nancy Jowling, Mary Jowling, an infant, Elizabeth Dade, Betsy Lang, Leah Francis, Lydia Withary, John Shaf-tol, William Pressy, Samuel Jowling, Mark Grimes, David Paul, Benjamin Laroque, George Gardner, Betsy Brooks, Hannah Neal till her death, Darley Higgins, David Welsh, Margaret Welsh, Hunking Lord, William M. Bradstreet, Michael Delano, Margaret Butler, William Horton, Mary Ann Horton, and funeral expenses of twelve unknown persons, cast away and drowned on Cape Ann, belonging to brig Persia, to January 12, 1830,	830 78
Great Barrington, for support of Mary Hoose, Joanna Porter, Lucy Porter, Ann Wells, Edward, son of said Ann, Amarilla, daughter of said Ann, Peter Smith, Sarah Smith, Mercy Doud, Amanda Doud, Hazard Nye,	

Clarissa Nye, Jesse August till his death, and the following children, viz. Abba Doud, Mary Doud, William Doud, Harriet Doud, Martha Doud, Solomon Doud, Leonard Doud, Isaac Nye, George Nye, John Nye, Lydia Nye, Mary Nye, to January 6, 1830,	386 40
Hardwick, for support of Charles Collins till his death,	51 67
Hanover, for support of Hannah Long, to January 4, 1830,	27 00
Hancock, for support of Silas Shipman, Sally Shipman, Israel Clark, and John H. North, a child, to January 6, 1830,	102 40
Hubbardston, for support of Daniel Mundel, to May 5, 1829,	15 84
Hopkinton, for support of Susan Parker, to January 18, 1830,	42 00
Harwich, for support of James Robertson, to January 25, 1830,	32 27
Haverhill, for support of Elisha F. Currier alias J. Q. Adams, a child, Anna Copp, Patrick Hogan, Dennis Hogan, a child, and Peggy Carroll, to January 5, 1830,	95 80
Hadley, for support of Rebecca Allen, and Jacob Thompson till his death, to January 1, 1830,	53 60
Ipswich, for support of John O'Brien, Thomas Powars, James Hennessee, Timothy Emerson, to February 1, 1830,	112 50
Kingston, for support of Sophia Holmes, and Emily Holmes, to January 1, 1830,	52 73
Lowell, for support of James D. Thomas, and William Redman, Brian Gehan, and sundry transient persons, to February 1, 1830,	151 63
Ludlow, for support of Arra Beebe, Thomas Brainard, and Harvey Olds, a child, to January 1, 1830,	78 56
Lee, for support of Sarah Ross, John Marble and wife, and Sarah Bates, to January 5, 1830,	98 61
Lenox, for support of Moses M'Grau, Edward	

Hurlburt, Samuel Boid, Jane Austin, Dayton Fuller, Samuel Bell, and the following children : Caroline Weaver, Lucinda Hurlbert, Aurilla Hurlbert, and Samuel Jackson, to January 3, 1830,	229 40
Leyden, for support of Phillis Young, Arnold Clark, Tacy Fuller, Hannah Cole, Ruth Abel, Joseph Abel, Jane Golan, a child, and Desire Stunton till her death, to December 30, 1829,	270 95
Leverett, for support of John Gawky, to January 1, 1830,	46 80
Leicester, for support of Thomas Waters, Mary Davis, and the following children, viz. Richard Davis, Mary Davis, 2d, Betsy Cobb, Joel Cobb, Roland Cobb, Sarah Cobb, Harriet Cobb, and Nancy Maria Cobb, to January 1, 1830,	162 39
Longmeadow, for support of Dorcas Coville, Silas George, Mary Matson and two children, and funeral charges of Silas George, to December 29, 1829,	83 95
Lincoln, for support of Thomas Lunnagan till his death,	10 40
Lanesborough, for support of Eunice Foot, Lucy H. Gomon, Mary Squir, Amos Dodge, Mary Dodge, Amelia Bennett, Mary Van Sickle, and Rufus, Louisa and John Dodge, children ; also Lucinda F. Dodge, Amanda Lane, John Stanborough, and Harriet Stanborough, children, to January 5, 1830,	313 60
Lunenburg, for support of Sophronia Renselaer, (colored), and Jane, her infant illegitimate child, to December 25, 1829,	17 23
Malden, for support of John and Henry Barker, George Elisha, Wm. Hardin, Charles O'Neal and wife, Catharine Marshall and her three children, Joseph Simony and wife, James Caley, Susan Walton and her three children, Aaron Fox, and sundry transient persons, to February 10, 1830,	193 00

# PAUPER ACCOUNTS.

321

Marshfield, for support of Samuel Holmes, and John Baker, to December 23, 1829,	93 60
Mount Washington, for support of Robert Baker, Henry Tyler, and Vincent Foster, to January 4, 1830,	125 23
Milbury, for support of Martin and Isaac Flood, to December 26, 1829,	82 00
Montgomery, for support of Willard Convers, and Hannah Boham, to January 1, 1830,	78 31
Marblehead, for support of Mary Card, James Murphy, William Horton, Mary Ann Horton, Mary Baird and her child, Ellen Ann Ally and child, to January 8, 1830, and Hercules Gardner, to January 1, 1830,	240 96
Monson, for support of Mary Allen, Flora Storey, Roxana Wallis, Hannah Brown, Marilla M'Intire, and the following children, viz. Benjamin Wallis, Dickinson Wallis, Lucinda M'Intire, Darius M'Intire, and Rufus M'Intire, to January 1, 1830,	202 48
Medford, for support of William White, John Ryan, Christopher Brown and wife, Kenrick Miller, John Durgin, Patrick Sullivan and wife, and Dorothy Lyman, to January 1, 1830.	77 63
Medfield, for support of George Turner, to November 25, 1829,	46 80
Milford, for support of Nathan Trufant, to February 10, 1830,	6 30
Mendon, for support of the following Indians belonging to the Natick and Grafton tribes, viz. Patience Pearse, Charles Pearse, Joseph Pearse, Deborah Brown, Elethera Johns, Patience Johns, a child, Andrew, son of Deborah Brown, Alpersa Purchase, a child, to June 1, 1829,	35 70
Marshpee Plantation, for support of Richard Holmes, James Pells, Lois Pells, Anthony Henson, Ephraim Jerrett, George Jones, Patience Wicker till her death, to January 11, 1830,	248 43



Middleborough, for support of Amanda M <sup>c</sup> Alister and her five children, to January 7, 1830, Elizabeth Briggs, Abigail Simons, Solomon Robinson, Anna Robinson, William Montgomery, Jenny Montgomery, Sarah Dick, Mahali Dick, Peter Pero, Mercy Dick, Clarissa Dick, Harriet Cooper, Clarissa Coquet, Laban Wheaton, Sam <sup>l</sup> Thompson, Daniel Jones, to January 1, 1830,	680 80
Northborough, for support of Jacob West, to January 1, 1830,	46 80
Norton, for support of Moses Shute, to January 1, 1830, and Nancy Burton, to November 1, 1829,	65 70
Norwich, for support of Ruth Sanford, to January 15, 1830, and Rufus Miner, to February 1, 1830,	49 22
North Brookfield, for support of Esther Johnson, to January 4, 1830,	29 70
New Marlborough, for support of Jonathan Hill, to January 7, 1830,	28 28
Northfield, for support of Joel M <sup>c</sup> Phem till his death,	33 42
Nantucket, for support of Anthony Swazy, Mary Andrews, Chloe Golden, Phillis Painter, Mathew Smith, Nathan Beebe, Sophia Beebe, Catharine Richardson, Thomas Pierce, to January 1, 1830,	389 70
New Ashford, for support of Mary Fuller, and Patience Miles till her death, to January 5, 1830,	103 10
North Bridgewater, for support of James Doren, Deborah Van Ransellaer, William Lewis, and Rufus Lewis, to January 1, 1830,	79 95
Newburyport, for support of Ann Ryan, Mary Butterfield, Sally Foster, Mary Bartlett, Moses Calef, John Lyons, John Campbell and wife, Esther Haynes, Ebenezer Small, Mary Aiken, Christopher Gardner, Hannah Berry, Samuel Saltus, Elizabeth Phillips, Sally J. Phillips, John Brown, Alexander	

Davis, Elizabeth Thurston, and the following children: Ebenezer Small, two children of Adam Lane, James Hogan, child of E. Phillips; burial of Elizabeth Phillips, Oliver Toussaint, Hannah Berry, and Samuel Tilton; supplies to John Aiken, his wife and three children, Mary Anderson, Thomas Baker, Aaron Cheever and two children, Ebenezer Coffin, Hannah Francis, widow of David Godfrey and two children, Mary Haynes, Susan Hikok, Rhoda Lewis, Betsy Peirce, William Perry and two children, Titus Pickering, Mary Porter and two children, Phillis Small, Zebulon Rowe, Ann Taylor, Sarah Marsh, Mary Carmon, Samuel Tilton, wife and three children, widow of Samuel Tilton and three children, Archibald Sprague, John Walton, wife and four children of Alexander Davis, to January 1, 1830,

705 69

Northbridge, for support of Leander Harrington, Mary Saunders, and John Currier, to October 6, 1829,

72 90

Newbury, for support of Susanna Stackpole and two children, Lydia Smith till her death, Mary Mathews, David Francis and child, Charlotte Mingo, Sarah Boughton and two children, child of widow Mary Tilton, Thomas Green, Jacob Wheeler, wife and three children of Charles Fields, Sam'l Smith, wife and three children of Thomas Curtis, Benjamin Foss, Dinah, a black, Nancy Morrill, Elizabeth Wilcox, James Hicks and wife, Michael Delano, John Montgomery, John Murray, Catharine Marshall and five children, Hannah Mores, wife of Patrick Doud, Daniel Conway, Peggy Carrier, wife of John Quirk, John Doyle, George W. Drew, George Mingle, Philip Butler, James Hennesay, Thomas Curtis, William M'Carn, Ira Thompson, Moses

Cheney, and supplies to widow Mary Rogers and daughter, and Daniel Thomas and wife, to January 1, 1830,	761 26
Norfolk County, for support of John Jones, David Dyer, William Ross, Jane Brown, and Benjamin Childs, in the House of Correction, to December 26, 1829,	135 76
Natick, for support of Dexter Gigger, Polly Jonah, Betty Sampson till her death, to January 1, 1828,	123 00
Northampton, for support of John Delaney, Almira Welsh and two children, Mrs. Burroughs and two children, James Armstrong, Nancy Johnson, Primus Johnson's wife, Polly Jones and child, James Mourae, William Nawsem, William Appledore, Samuel Dunstan, James Kelly, Hannah M. Whitney, James Lyacom, John M'Lathlin, William Lawlar, Peter Olary, Charles Andrews, Garrett Stark, Joseph Seminoe and wife, John Quirk and wife, John Murphy, Ann Cochran and three children, Lydia Rock, William Horton and wife, Daniel Downey, John M'Lathlin and wife, Mathias Rock, David Welsh and wife, Alexander M'Claun, Francis Cochran and wife, Richard Powars, James Barker and wife, Peter Johnson, John Brown, Thomas N. Ross, Thomas Kelly, Joseph H. Kelly, Edmund Dady, Patrick Powers, John Peters and wife, John Thompson, John Quinn, Ira Hammond, Thomas Pitts' wife, Sarah Peters, an Indian, Gideon Gilbert, James Franklin, Thomas Culton, Zechariah M. Soule, Patrick Farley, William Grant, Nancy Chapman, James Brown, and the following children: child of Obedience Murphy, Robert Miller, Edward Salisbury, Cera Tappan's two children, Charles P. Ellis, Lucius Lewis Gransy, and sundry transient persons, to January 1, 1830,	922 24

# PAUPER ACCOUNTS.

325

New Bedford, for support of Samuel Wicket, Catharine Congden, John Nevis till his death, Lydia Nevis, Phebe Talbot, Betay Wood, John Cottle, 2d, Michael Chenang, Lucy Jackson, Lydia Mingo, Sarah Wilson, and the following children, viz. Mary Ann Simonds, George Blew, Otis Peterson, Charles Lee, Elizabeth Earl, Charlotte Earl, Lucy Jackson, and Sarah Jackson, to January 28, 1830,	531 89
Needham, for support of John Wilkins, Sarah Riley, John Riley, 2d, a child, to May 5, 1829,	135 80
Newton, for support of Ann Green, Joel French, Charles Carl, E. Lund, Mary Laughton, John Wilson, Joseph Pritchard, to January 1, 1830,	129 60
Otis, for support of Abijah G. Hazard and wife, Clement Cole, Jennett Mitchell, and Peter Linason till his death, to January 1, 1830,	138 20
Overseers of Gay Head, for support of Hezekiah Sewall, to January 26, 1830,	10 80
Paxton, for support of William Fiske and Hannah Jonah, a child, to January 1, 1830,	61 03
Pelham, for support of William Banks and Harriet Whipple, to December 24, 1829,	52 00
Phillipston, for support of Abraham Scholl, to January 1, 1830,	27 52
Peru, for support of Robert Burgess, to January 1, 1830,	27 00
Pawtucket, for support of Jane Donaldson and child, Robert Butterworth till his death, Mary Pomroy, Catharine Daly and child, Zechariah Foster and child, to January 21, 1830,	87 35
Pembroke, for support of Rhoda Prince, Edward Smith, and supplies to Mary Gifford, to January 25, 1830,	102 03
Plymouth, for support of John M. Roap, John	

Worthing, James Reed, and Maria Harrison, to February 3, 1830,	126 00
Pittsfield, for support of James Gordon, Theodore Brown, Cato Buckway, James Erwin, Harmon Brown, Robert Baker, Amanda Thompson, Edward Thompson, Charles Thompson, Henry Thompson alias Gardner, Jane Lisbon, Eliza Castle, Caroline Stanborough, Francis Smith, John Smith, Frances Smith, William Smith, James Smith, to January 1, 1830,	290 33
Richmond, for support of Samuel Hill, Nancy Jessup, Martha Hagar, Susan Darling, and Amos and Sarah Ann Darling, children, to January 4, 1830,	127 45
Russell, for support of Mary Newton and Sally Harrington, to December 27, 1829, and Thomas Dill till his death, and John Hale to December 30, 1829,	132 80
Rochester, for support of Edward B. Sanford and wife, and the following children of said Sanford, viz. Alfred, aged ten, Amos, aged seven, Charles, aged five, and Edward, aged two, to January 1, 1830,	114 00
Rehoboth, for support of Aaron Freeman, Lucy Kelly, Nancy Greene, Nancy Hill and child, John Kelly, a child, Rosanna Freeman, a child, to December 27, 1829,	210 33
Rowley, for support of John Webber, Louisa Price, William Davis, Orna Davis, Luke Weems, Ella Weems, Bridget Cook, Paul Peterson, John M'Carty, James Kerman, John Brown, John Quirk, Mary Quirk, Daniel Ferrill, James Hickey, Ella Hickey, Jonathan Lancaster, Michael Delaney, Jacob Wheeler, Christopher Brown, Mary Brown, Toby M'Laughlin, Maria M'Laughlin, John M'Kenny, Mary M'Kenny, George Bayard, Mary Brown, and the following children, viz. Maria Brown, Margaret Cook, Jane Davis, Catharine Davis, and burial of an infant, to Jan. 2, 1830,	334 47

# PAUPER ACCOUNTS.

327

Rutland, for support of Isaac Gregory till his death,	9 11
Rowe, for support of Betsy Carpenter and child, Almira, Mary, and Noah Wilcox, children, to January 3, 1830,	150 80
Randolph, for support of John Perkins, to May 27, 1829,	3 71
Raynham, for support of Susanna Boon, till her death,	24 03
Royalston, for support of widow Alice Clements, to January 13, 1830,	46 80
Roxbury, for support of Emanuel Swasey, Jane Landers, Peter Chapman, Thomas Tineron, and his wife till her death, Edward Shehane, John Guyrn, Catharine Guyrn and two children, Martin Guyrn, John and Ellen Holland, Sally Brown and child, Patrick Brown, Mary Mack, Harriet Gregg and Eliza Ann her child, Lawrence Hackett, Michael M'Grah, and sundry transient persons; also supplies to sundry paupers, to January 2, 1830,	670 27
Swanzy, for support of Martha Dousnips, Jude M'Carter, Susanna, an Indian, Rozilla and Olive Freeman, and Betsy Lovejoy, to January 2, 1830,	143 80
Sterling, for support of James Lavinna, to June 13, 1829,	3 71
South Hadley, for support of Eunice Sweatland, Truman Hall Sweatland, Jane Sweatland, Eunice Louisa Sweatland, the wife and children of Asa Sweatland, to January 1, 1830,	86 80
Somerset, for support of Polly Hill, to January 3, 1830, Ruth Hill till her death, Ann M'Given, and the following children, viz. Ann M'Given, Ese M'Given, Thomas M'Given, to January 3, 1830,	175 20
Sturbridge, for support of Anna Stedman till her death,	39 60

Sutton for support of James Norbury, to January 7, 1830,	46 80
Salisbury, for support of Benjamin Carlton till his removal, and Arthur Kirk till his death, to January 2, 1830,	22 86
Sheffield, for support of Charlotte Turner, Phebe Dunant, Margaret Dunant, Dennis Kelly, and Caroline Kelly, to January 8, 1830,	91 95
Seekonk, for support of David Young and wife, Elizabeth Cowden, Hannah Robbins, Susanna Matson, and Reuben Frost, to January 2, 1830,	192 60
Salem, for support of Aaron, a Portuguese, Edward Brooks, Mary Brown, John Bennett, Hannah Brooks, Mary Burnside, Andrew Cummings, John Carnes, Sam'l Cate, Deliverance Cate, John Cawthron, Widow Friday, John Fisher, William Gardner, William Gordon, Mary Hickey, Eliza Harris, Michael Hartigan, Flora James, Mathias Jacobson, John Johnson, John Ladson, William H. Moody, John Mitchell, Jane Pondicherry, Michael O'Brien, James Ryan, Phillis Reed, Samuel Smith, Mary Smith, Patrick Sullivan, Paul Thomas, Elizabeth Welsh, John Williams, widow David Smith, Jane Tytler, Edward M'Gowan, Joseph Broadbent, Samuel D. M'Colley, Aaron Pond, John Page, Levi Orcutt, Elizabeth Dickenson, Joanna Reynolds, Levi Morrill, Martha Henesey, James Kenney, Barnard Magee, Harriet Lewis, Catharine Cox, Martha Curry, Hugh Cox, Simon L. Torry, John Shepard, Cato Montgomery, William Grant, William White, Elizabeth Black, Mary Quirk, Hannah Kidder, Miles M'Donnald, William O'Brien, William Lawlaor, Owen Carroll, George Parry, Mordecai A. Marks, Andrew Baird, James Henesee, Simon Lee, Bateman Henrick, George Ack-	

erman, John Newhall, Ann M. Francis, Elizabeth Murray, John Owing, Charles Slater, Elizabeth E. Brown, a child, Christopher Brown, Mary Brown, Maria Clark, John Clark, Thomas N. Ross, Henry Smith, John Mahony, Caroline Brown, Joseph Curtis, Lucy Thompson, Stephen Place, Thomas Carlton, Philip Shea, Thomas Curtis, Patrick M'Analty, John Brown, Samuel Crawler, Oliver Petigrew, Mary M'Kenny, John Brown, Robert Wheeler, Harriet Wheeler, Edward Atkins, William Doyle, James Jackson, William M'Karn, George Kenney, David Kieff, Maria Clark, John Townsend, James Hurley, James Hickey, and the following children: Elizabeth E. Brown, Hannah Brown, George Brooks, Margaret Pondicherry, Frances M. Mitchell, Augusta R. Mitchell, James Cox, William Cox, Thomas Cox, Mary Ann Cox, Edward, Eleanor and Phebe M'Donald, Martha Robinson, John Clark, supplies to John Abbot, Nehemiah Hutchinson, Jane Hawkins, and James Ryan, jr. and funeral charges for Harriet Lewis, John Bennett, Mordecai A. Marks, William Ford, Elizabeth Dickenson, and Parker Wiggins, to December 31, 1829,	1,483 02
Southampton, for support of John Cochrane, and the following children, viz. Robert Livingston, Maria, Eliza, Susan, and Eunice L. M'Dermott, children of William M'Dermott, and Eunice French, to January 1, 1830,	60 32
Shutesbury, for support of Peter Jackson and wife, the wife and five children of Zechariah Phinmore, Timothy Vantor till his death, to January 9, 1830,	168 20
Stoughton, for support of Isaac Williams, jr., Michael Myron, aged fourteen, and Jonathan Pettingal till his death, to January 8, 1830,	70 44



Sandisfield, for support of Richard Dickson and wife, Charles S. Perkins till his death, Lucretia Tilley till her death, and Benjamin Whitney, a child, to December 26, 1829,	91 80
Sharon, for support of Edward Ellis, and Elizabeth Ellis, to January 20, 1830,	59 40
Sandwich, for support of Patrick Powers, Phillis Wing, and Bethiah Fly, to January 25, 1830,	119 70
Spencer, for support of Susannah Cowland, and Malansey, Theophilus, Eleanor, and Elizabeth Freeman, children of Amy Freeman, to January 16, 1830,	169 37
Stockbridge, for support of Abraham Parmelee, Martha Dowd, Margery Curtis, Dinah Elky, Dorcas Webster, Nicholas Rich, Louisa Ingram and child, Anthony Purdy, Albert Williams till his death, to December 1, 1829,	168 21
Suffolk County, for support of sundry paupers in the House of Correction.	
Quarter ending June 30, 1829,	\$262 50
Quarter ending Sept. 30, 1829,	425 58
Quarter ending Dec. 31, 1829,	383 53
	1,071 61
Springfield, for support of Michael Smith, Ephraim Cady, John Lloyd, Francis and Mary Cochrane, Mary Ann Golen, Charlotte Frey, Silas George, Barnet Loveridge, Cyrus Williams till his death, Mary and Catharine Hicks, children, and sundry transient persons, to January 3, 1830,	444 69
Tyringham, for support of Pamela Philley, Mary Diskill, to January 9, 1829, Richard Gardner and wife, Asa Thompson, Mary Diskill, Pamela Philley, and James Fox, to January 5, 1830,	270 12
Taunton, for support of Sally Volum, Nancy Stella, Deborah Smith, Robert Wilson, Joseph Lyon, Samuel Shoemaker, Samuel Rose, Ebenezer Easty till his death, James Whawall, Michael Mulhaven till his death,	

# PAUPER ACCOUNTS.

331

Mary Mulhaven, George Burkett, Mary W. Burkett, and the following children, viz. Mary Ann, Nancy, Alice and Robert Burkett, James and Michael Mulhaven, Leonard and Mary Stella, to Dec. 31, 1829,	441 47
Townsend, for support of Samuel B. Jackson and Harry S. Jackson, children, to January 6, 1830,	30 00
Tyngsborough for support of Catharine M'Clenning, to January 1, 1830,	93 60
Upton, for support of Mary Briant, to January 18, 1830,	32 27
Westford, for support of Ephraim Spaulding, to January 1, 1830,	46 80
Westhampton, for support of Gay, a coloured woman, Silvia Miller, do., Mary Ann Sherman, coloured child, Filia Sherman, do., John Cochran and Owen Martin, to January 1, 1830,	108 62
Washington, for support of John Thompson to January 1, 1830, wife of Harvey Edwards, and Sylvester, Solomon, Erastus, and Andrew, children of Harvey Edwards, and funeral expenses of Andrew and an infant child of said Harvey Edwards, to July 22, 1829,	63 28
West Stockbridge, for support of James C. Biggs, Ransom H. Biggs, Sally Barton, Ebenezer Wood, Abigail Wood, Mary M'Clean till her death, Henry W. Rogers, a child, Mary Snow, Roswell Wilson, and Lucy Lane, to January 1, 1830,	258 40
Warwick, for support of Samuel Gunn and Molly his wife, and George and Charles, two sons of Gunn's, and John C. Miller, to January 8, 1830,	169 50
Wareham, for support of Anna Jefferson and child, to January 4, 1830,	7 00
Williamstown, for support of Asahel Foot, wife and five children, Rachel Galusha, and John G. Henderson, to January 2, 1830,	195 20

Westfield, for support of John N. Berry, Esther Berry, Aseneth Gibson, Mary Parks, Mary Ann Baker, Hepzibah Brewer, and the following children : George Gibson, Eunice French, and George Dewey, to January 1, 1830,	204 12
Western, for support of Daniel Mundel, Joseph R. Trim, a child, and Mary Willard, to December 30, 1829,	96 30
Williamsburg, for support of James Turner and his three children, to January 11, 1830,	58 06
Ware, for support of Thomas Dennison, Charles Simpson, George W. Booth, jr. and Horace Booth, children of George W. Booth, to January 15, 1830,	146 54
Ware, for support of Amasa Olney and wife, (and funeral expenses of latter,) and John Olney, Eliza Olney, Caroline Olney, and Henry Olney, children, to January 15, 1830,	99 95
West Springfield, for support of James Ferrel, Joseph Kelly and Elizabeth Kelly, to Feb. 12, 1829, Hannah Sheroy, Louis Sheroy, Laura Chapin, Rodney Benedict, a child, Luke Wymes, Ally Wymes, Bridget Cook, Catharine Cook, a child, Sally Stanton till her death, Jack, a coloured man, John Benedict and Joseph Clark, to January 2, 1830,	144 96
West Bridgewater, for support of Thomas Quindley to January 1, 1830,	27 51
Worthington, for support of Lemuel Carver and wife, to January 1, 1830,	18 13
West Newbury, for support of Richard Benton, Mary Benton, and their six children ; also Mary Martin, wife of Henry Martin, and their four children, to January 1, 1830,	177 05
Whately, for support of Jesse Jewett, to January 26, 1830,	50 27
Wrentham, for support of Lucy Marsh and her two children, Sarah Wilder, Susan Newland, Ephraim Davenport, and Lucy Patten,	

# PAUPER ACCOUNTS.

333

Eliza Rockwood, and James Walker, children, to January 1, 1830,	76 21
Worcester, for support of Mary Gall alias Gorr, a child, Michael Ryan, Michael Fleming, George Marsh, and William Sherburne, and funeral expenses of Michael Ryan, to January 1, 1830,	144 08
Watertown, for support of John Green, Rosanna Kirker, Henry Boon, John Doyle, William Rogers, Caroline Rogers, Michael Nolen, Susanna Nolen, Edward Davis till his death, William Horton, Mary Ann Horton, Dennis Rine, and the following children, viz. Nancy Steptoe, Martha, Sarah, Abigail, and Margaret, children of Rosanna Kirker, and funeral expenses of — York, to January 31, 1830,	274 52
Wilbraham, for support of Lydia Truden and her four children, Charles Noc, Eunice Davis, Mary Walker, Alice Dodge, and James Hammond, to December 30, 1829,	332 39
Yarmouth, for support of Thomas Peters and black Lot, to November 26, 1829,	46 80

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**AGGREGATE OF PAUPER ROLL, NO. 102.**

**JANUARY SESSION, 1830.**

**Total amount Pauper Accounts, . . . . . \$42,464 22**

*Resolved*, That there be allowed and paid, out of the public treasury, to the several corporations and persons mentioned in this Roll, the sums set against the names of such corporations and persons respectively, amounting in the whole to forty two thousand four hundred and sixty four dollars and twenty two cents; the same being in full discharge of the accounts and demands to which they refer.

*In Senate, February 16, 1830.—*

Read twice and passed.

Sent down for concurrence.

**SAMUEL LATHROP, *President*.**

*In House of Representatives, February 17, 1830.*

Read twice, and passed in concurrence.

**W. B. CALHOUN, *Speaker*.**

*February 17, 1830.*

Approved,

**LEVI LINCOLN.**

## **Commonwealth of Massachusetts.**

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**TREASURY OFFICE, JANUARY 27th, 1830.**

IN obedience to a Resolve of the Honourable Legislature of June 11th, 1829, the Treasurer respectfully transmits a statement of sundry claims which he has audited and allowed. In examining and regulating these claims, he has been guided by the laws of the Commonwealth wherever they would furnish a rule of proceeding; and, in all other cases, by his best skill and judgment in applying precedents heretofore established.

The Treasurer is required by the aforesaid Resolve, to "report what claims have been presented," not supported by vouchers, "with a full statement of all the information he may have become possessed of in relation to such claims."

There remain on file only two claims wholly disallowed, viz,

Lester Filley, for two days services as an Attorney at Washington, in the case of the Commonwealth *vs.* Washington, before the Honourable Peter Briggs, \$14, and for witnesses \$3 13, . . . \$17 13. A letter from Mr. Briggs, dated May 8, 1828, requesting Mr. Filley's attendance, is the only voucher in this case. The Treasurer had requested Mr. Filley to make a new statement, certified by Mr. Briggs, but nothing further has been received.

The other disallowed claim is an account of Phelps & Ingersoll, for "advertising Resolve respecting broad rimmed wheels." This was disallowed for want of a voucher; and, also, on the presumption that it was included in their annual account of publishing the laws.

A charge by Austin & Dana, "for extra printing one year, to May, 1829," was also disallowed, and deducted from their account, leaving the sum of \$16 67, for publishing the laws.

In adjusting the accounts, other small sums have been deducted for errors and overcharges, which, the Treasurer presumes, were not intended to be included in the disallowed claims mentioned in the last clause of the aforesaid Resolve.

All which is respectfully submitted.

JOSEPH SEWALL, *Treasurer.*

## ROLL OF ACCOUNTS No. 1,

*Audited by the Treasurer of the Commonwealth, and reported January 27th, 1830.*

### PRINTERS.

Allen, E. W. for printing laws to August 1st, 1829,	16 67
Allen, Phineas, for publishing laws for the year 1829,	16 67
Bannister, Ridley, for publishing laws, including January Session 1829,	16 67
Bowles, Samuel, for publishing laws to May 20th, 1829,	16 66
Dutton & Wentworth, for printing to January 1st, 1830, viz. Secretary,	321 24
Adjutant General,	97 00
Treasurer,	67 24
	485 48
Denny, Austin, publishing laws,	16 67
Lindsay, B. & Son, publishing laws to May, 1829,	16 67

## MISCELLANEOUS ACCOUNTS. 337

Phelps & Ingersoll, publishing laws for the year 1829,	16 67
Rawson, Alonzo, publishing laws for the year 1829,	16 67
Snow, Josiah, publishing laws for the year 1829,	16 67
Thayer, A. W., publishing laws for the year 1829,	16 67
	<hr/> \$652 17

## MISCELLANEOUS ACCOUNTS.

Adams, William & G. W., repairs about the State House, to January 7, 1830,	24 36
Bradlee, Samuel & Son, hardware for repairs State House, to January 7th, 1830,	28 54
Blaney, Henry, repairs about the State House, to January 5th, 1830,	50 93
Ballard and Prince, bocking for Representatives Chamber,	172 12
Burditt, James W., stationary, to January 16th, 1830, viz. for Secretary,	56 19
Treasurer,	3 75
Adjutant Gen.	18 60
Legislature,	116 46
Library,	25 29—220 29
Commissioners for settling the Treasurer's accounts:—Charles Wells,	14 00
Robert Rantoul,	14 00
Thomas J. Goodwin,	14 00
Felt, David & Co., stationary for Treasury,	3 25
Gore & Baker, painting about the State House,	84 91
Goodrich, I. W., stationary for Secretary's Office,	26 75
Holden, Joshua, furniture for Representatives' Chamber,	198 75
Hindman, C. F., furniture for Representatives' Chamber,	137 78
Loring, Benjamin, & Co., stationary for Treasury,	1 50



### 338 SHERIFFS' & CORONERS' ACCOUNTS.

Mann, Horace, for journey to Worcester to examine House of Correction in reference to an Asylum for Lunatics, per order of House of Representatives, January, 1829,	17 00
Snelling, Enoch H., for glazing in the State House,	52 88
Wheeler, John, H. for work done in and about the State House, including furniture for Senate and Representatives' Chambers, &c.,	547 82
Book cases, including glazing and trimmings, with frame for maps, &c., for library,	199 04—746 86
	<hr/> \$1,807 92

#### SHERIFFS.

Austin, Nathaniel, for returning votes,	3 20
Bartlett, Bailey, for returning votes,	8 40
Hayward, Nathan, for returning votes,	12 80
Hoyt, Epaphras, for returning votes,	8 00
Lyman, Joseph, for returning votes,	8 00
Phelps, John, for returning votes,	18 00
	<hr/> \$58 40

#### CORONERS.

Bowen, Nathan, fees of Inquisition, to December 19th, 1829,	11 40
Cottle, James, fees of Inquisition to December 28th, 1829,	11 90
Choate, David, fees of Inquisition, to December 25th, 1829,	7 40
Kingsbury, Aaron, fees of Inquisition, to January 16th, 1830,	7 40
Russell, Ebenezer, fees of Inquisition, to January 23d, 1830,	7 40
Smith, Austin, fees of Inquisition, to January 5th, 1830,	12 40

**CORONERS' ACCOUNTS.****339**

Stowers, Joseph, fees of Inquisition, to January 21st, 1830,	12 40
Snow, Prince, fees of Inquisition, to January 21st, 1830,	138 60
Tyler, Samuel, fees of Inquisition, to December 30th, 1829,	11 70
Wade, William F., fees of Inquisition, to January 12th, 1830,	7 40
	<hr/>
	\$228 00

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## AGGREGATE OF ROLL No. 1.

JANUARY, 1830.

Printers' Accounts,	652 17
Miscellaneous Accounts,	1,807 92
Sheriffs' Accounts,	58 40
Coroners' Accounts,	228 00
	<hr/>
	\$2,746 49

*Resolved*, That there be allowed and paid, out of the public treasury, to the several persons named in the foregoing Roll, the sums set against their names respectively, amounting in the whole to the sum of two thousand seven hundred forty six dollars and forty nine cents; the same being in full discharge of all the accounts and demands to which they refer.

*In Senate, February 16, 1830.—*

Read twice and passed.

Sent down for concurrence.

SAMUEL LATHROP, *President*.

*In House of Representatives, February 17, 1830.*

Read twice, and passed in concurrence.

W. B. CALHOUN, *Speaker*.

*February 17, 1830.*

Approved,

LEVI LINCOLN.

## ROLL, No. 102.....ADDITIONAL.

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The COMMITTEE ON ACCOUNTS having examined the several accounts presented to them, Report,

That there are due to the several Corporations and persons hereinafter mentioned, the sums set to their names respectively, which, when allowed and paid, will be in full discharge of the said accounts, to the dates therein mentioned ; which is respectfully submitted.

By order of said Committee,

ELIHU HOYT, *Chairman.*

---

### PAUPER ACCOUNTS.

Boxford, for support of Mehitable Hall till her death,	37 40
Duxbury, for support of Lydia Dace, to February 15, 1830,	50 40
Edgartown, for support of Thomas Wallace, during his sickness with small pox, and funeral expenses,	8 34
Holliston, for support of Henry Burley, to February 13, 1830,	34 59
Lynn, for support of John Battise, James Cameron, Hannah Foss, Lemuel G. Smith, a child, John Ryan, Mrs. Rebecca Ross and	

342 MISCELLANEOUS ACCOUNTS.

her three children, viz. William, Walter and Rebecca, Thomas Curtis, Patrick M'Anulty, James Procter, to February 2, 1830,	157 60
Middleborough, for support of Laban Wheaton, to March 26, 1829,	10 80
Milton, for support of James Bowman, Archibald M'Donald, John J. Meyers, George Hamilton, a child, Mary A. Wright, do., to February 15, 1830,	121 50
Wenham, for support of Pompey Porter, and Sarah English, to January 1, 1830,	74 25
Sheffield Weaver, Guardian Troy Indians, for supplies to said Indians, and his own services, to January 1, 1830,	77 72
	<hr/>
Total Pauper Accounts,	\$572 60

MISCELLANEOUS.

Massachusetts Agricultural Society, for amount paid for cultivation at Cambridge, of foreign seeds, plants, and shrubs, under a committee of the Board of Trustees of said Society, viz.	
John Green, wages,	91 32
Thomas Banks, "	47 23
Barnard Boyle, "	57 81
Wm. Carter, "	400 00—
To January 1, 1830,	596 36
Daniel Fellows, Guardian of Chappequiddick and Christiantown Indians, for services in recording, &c., division deeds of lands belonging to said Indians, to December 22, 1829,	7 10
	<hr/>
Total Miscellaneous Accounts,	\$603 46

## MILITARY ACCOUNTS.

343

### MILITARY ACCOUNTS.

#### *Aids de Camp to Major Generals.*

Aaron D. Capen, to Dec. 31, 1829,	18 75
Nathan Brown, to December 31, 1829,	25 00
Samuel H. Mann, to December 31, 1829,	22 63
Edward Dickinson, to June 1, 1829,	10 42
Wm. A. F. Sproat, to December 31, 1829,	25 00
Aaron Brooks, jr., to December 31, 1829,	25 00
Franklin Weston, to December 31, 1829,	25 00
	<hr/>
	\$151 80

#### *Brigade Majors.*

Bradford S. Wales, to December 31, 1829,	40 00
Frederick W. Lincoln, to December 31, 1829,	40 00
Jabez W. Barton, to December 31, 1829,	40 00
Moses P. Parish, to December 31, 1829,	26 66
Joseph Butterfield, to April 29, 1829,	35 56
Thomas Sheldon, to April 22, 1828,	12 45
Joseph Root, to December 31, 1829,	52 00
Alanson Clark, to December 31, 1829,	40 00
Elisha Tucker, to December 31, 1829,	40 00
George B. Atwood, December 31, 1829,	40 00
Amory H. Bowman, to December 31, 1829,	80 00
Otis Adams, to December 31, 1829,	40 00
Parker S. Hall, to December 31, 1829,	40 00
George N. Briggs, to April 16, 1829,	11 67
William C. Plunkett, to December 31, 1829,	28 33
	<hr/>
	\$566 67

#### *Adjutants.*

Francis Holden, to May 9, 1829,	8 95
Ebenezer W. Stone, to December 31, 1829,	12 50
Ezra W. Sampson, to April 24, 1829,	7 91
Appleton Howe, to December 31, 1829,	17 09
Francis D. Holbrook, to December 31, 1829,	25 00

Stephen Hall, to December 31, 1829,	15 00
Josiah N. Bird, to December 31, 1829,	25 00
Stephen Sanford, to December 31, 1829,	25 00
Nathaniel Bird, to December 31, 1829,	18 12
James L. Hewitt, to December 31, 1829,	37 50
Enoch Train, to December 31, 1829,	25 00
William Chamberlain, to December 31, 1829,	15 00
Daniel W. Rogers, to December 31, 1829,	25 00
William Dodge, 4th, to December 31, 1829,	33 33
Andrew Mansfield, jr. to December 31, 1829,	25 00
Ebenezer Sutton, to December 31, 1829,	25 00
Oliver Whipple, to December 31, 1829,	15 00
Joseph P. Turner, to December 31, 1829,	15 00
Stephen Adams, jr., to December 31, 1829,	25 00
David Giddings, to December 31, 1829,	25 00
William Brown, to December 31, 1829,	25 00
Reuben Evans, to December 31, 1829,	25 00
John Davis, to December 31, 1829,	25 00
Joseph Hooper, jr., to December 31, 1829,	15 00
Charles P. Bailey, to December 31, 1829,	50 00
William Flanders, to December 31, 1829,	15 00
Ephraim Buttrick, to December 31, 1829,	50 00
William Tidd, to December 31, 1829,	25 00
Homer Tilton, to December 31, 1829,	25 00
Guy C. Haynes, to December 31, 1829,	25 00
Josiah Clark, to December 31, 1829,	25 00
Charles Howard, to August 4, 1829,	14 86
Henry J. Baxter, to December 31, 1829,	10 14
Samuel Reynolds, to December 31, 1829,	25 00
John B. Eldridge, to January 1, 1829,	8 33
Alvan Fowler, to December 31, 1829,	24 16
James B. Porter, to December 31, 1829,	25 00
William H. Squire, to December 31, 1829,	20 83
Chauncey R. Baldwin, to December 31, 1829,	18 75
Joseph B. Sheffield, to December 31, 1829,	16 74
Jonathan H. Butler, to September 28, 1829,	8 74
John J. Graves, to December 31, 1829,	25 00
Horatio N. Ward, to December 31, 1829,	25 00
Lucius Graham, to December 31, 1829,	25 00
Joseph Tyler, to December 31, 1829,	25 00
Henry Hoyt, to September 18, 1829,	7 64

# MILITARY ACCOUNTS.

345

Horace Collamore, to December 31, 1829,	25 00
Spencer Gloyd, to December 31, 1829,	25 00
Arad Thompson, to December 31, 1829,	25 00
Samuel N. Dyer, to December 31, 1829,	15 00
Jonathan Wheaton, jr., to June 1, 1829,	10 42
Henry Luther, to December 31, 1829,	14 37
Asa Wood, to December 31, 1829,	25 00
George Danford, to December 31, 1829,	25 00
Willard Blackington, to October 1, 1829,	18 75
Philip P. Hathaway, to October 9, 1829,	44 37
John T. Lawton, to December 31, 1829,	5 63
Joseph Hamblin, to July 23, 1829,	39 09
Obed Brooks, jr., to December 31, 1829,	10 90
Cornelius Hamblin, to December 31, 1829,	50 00
Samuel Shiverick, to December 31, 1829,	15 00
Ebenezer A. Howard, to December 31, 1829,	14 58
Dan Hill, to December 31, 1829,	25 00
Henry H. Penniman, to December 31, 1829,	50 00
Holmes Ammidown, to December 31, 1829,	25 00
Ebenezer Cadwell, to December 31, 1829,	25 00
Phineas T. Bartlett, to December 31, 1829,	37 50
Isaac Bartlett, to December 31, 1829,	15 00
John G. Thurston, to December 31, 1829,	50 00
Oliver Harrington, to December 31, 1829,	32 29
Josiah White, to August 31, 1829,	29 52
Carter Gates, to July 31, 1829,	14 50
Luke Lincoln, to August 31, 1829,	2 08
George C. Richardson, to December 31, 1829,	25 00
Edmund H. Nichols, to December 31, 1829,	15 00
Edmund Bush, to December 31, 1829,	25 00
Edward Bradley, to December 31, 1829,	43 75
Timothy Jones, to December 31, 1829,	39 58
Edwin Bosworth, to December 31, 1829,	13 08
Rodney Hill, to December 31, 1829,	8 92
Socrates Squier, to December 31, 1829,	25 00
Franklin Root, to December 31, 1829,	50 00
Ambrose Nicholson, to December 31, 1829,	25 00
George W. Campbell, to December 31, 1829,	15 00
Hiram Humphrey, to July 1, 1828,	12 50

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\$1,972 42



*Hauling Artillery.*

Joseph B. Fowler,	1829,	16 00
Thomas M. Field,	"	7 25
Nathaniel T. Shaw,	1828,	7 50
James Hawes,	1829,	20 00
Jabez Morse,	"	18 00
Abijah Pond, jr.,	"	17 00
William Cunningham,	"	10 00
George W. Saunders,	"	20 00
Charles Hersey,	"	20 00
William Austin,	"	36 00
John K. Skinner,	"	6 00
Thomas Flint,	"	10 00
Henry Haskell,	"	8 00
William Haskell,	"	10 00
Timothy Brown,	"	10 00
Enoch Peirce,	"	30 00
Zebedee Morrill,	1828-9,	29 00
John Buttrick,	1829,	20 00
Joseph W. Goddard,	"	15 00
Charles Trowbridge,	"	20 00
Philip Russell,	"	16 00
John Boynton,	"	10 00
Asa Spaulding,	"	18 00
Henry Dwight,	"	7 50
George Washburn,	"	15 00
Horace Noble, jr.,	"	11 25
David P. King,	"	23 00
Jonathan P. Strong,	"	5 00
Thomas W. White,	"	13 50
David R. Whiting,	"	12 00
William Morse,	"	9 00
Simeon Blanden,	"	10 00
David Silvester,	"	9 00
Joshua Winslow,	1828-9,	12 90
Peter Corbett,	1829,	16 00
Moses Plympton,	"	14 61
Seneca Colburn,	"	15 00
George W. Houghton,	"	15 00

# MILITARY ACCOUNTS.

347

John Holland,	1828-9,	21 25
George Turner,	1829,	5 50
Abraham Tobey, jr.,	"	9 00
Joseph Adams,	1828,	5 50
Barber C. Sheldon,	1829,	9 50
John Dowley,	1828,	8 00
Homer Tyrrell,	1829,	7 50

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\$628 76

## *Courts Martial.*

Court Martial held at Greenfield, March 30, 1829.

<i>President,</i>	Col. Milton Brewster,	24 60
<i>Members,</i>	Maj. John Powers,	16 40
	Capt. David Wells,	12 60
	Capt. Joseph Smith,	14 40
<i>Marshal,</i>	Maj. Alanson Clark,	12 20
<i>Judge Adv.</i>	Maj. Daniel Wells,	4 10
<i>Witnesses,</i>	Edmund Longley, jr.,	2 10
	Tyler Curtis,	6 00
	William Sanford,	2 10
	Noah Joy,	2 34
	Thomas Longley,	2 10
	Joshua Longley,	2 10
	Calvin Read,	5 20
	Lucius Graham,	5 36
	John Vincent,	5 84
	Cushing Shaw,	6 90
	Seth S. Williams,	5 84
	Gains Harmon,	2 10
	Harvey Baker,	6 00
	Edward Crowell,	6 00
	Alpheus Hawkes,	6 00
	Benjamin Sears,	3 42
	Calvin B. Stannard,	3 50
	Freeman Atkins,	3 50
	Ashbel W. Carter,	3 50
	Quartus Taylor,	3 50
	Albert F. Dickinson,	3 50

John Hall,	3 50
Nehemiah Hathaway,	1 94
Abel Williams,	7 70
<i>Service of Subpoenas,</i> Seth Church,	3 90
William Henry,	5 67
Joseph Tyler,	4 50
William Bliss, <i>Judge Advocate,</i>	24 00
Stationary,	2 62½
	<hr/>
	\$225 03½

William Pool, Maj., for two days attendance at General Court Martial at Salem, ordered by Commander in Chief, and order countermanded, but not received by said Pool, and travel, 6 50

Division Court Martial at Springfield, Dec. 29, 1829.

<i>President,</i>	Col. Galen Ames,	6 00
<i>Members,</i>	Lt. Col. Cyrus Kingman,	7 00
	Maj. Plin Allen,	6 70
	Capt. Alonzo Cutler,	6 40
	Capt. Linus Bagg,	4 40
<i>Marshal,</i>	Lt. Col. David H. Mervin,	5 00
	Capt. Solomon Warriner, jr.,	2 00
<i>Judge Adv.</i>	William Bliss,	8 00
	For Stationary,	75
<i>Orderly Serg't.</i>	Horace Palmer,	3 60
<i>Witnesses,</i>	Col. David Wood,	1 00
	Adj. Samuel Raynolds,	50
	Lt. Walter Pease,	1 30
	Ensign Dan Hubbard,	1 30
	Harmon Booth,	1 30
	Nason Fifield,	1 30
	Ezekiel Fuller, jr.	1 30
<i>Service of Subpoena,</i>	Maj. William H. Foster,	2 40
		<hr/>
		60 25
		<hr/>
	Total, Courts Martial,	\$291 78

**AGGREGATE OF ADDITIONAL ROLL, No. 102.**

**JANUARY, SESSION, 1830.**

Pauper Accounts,	572 60
Miscellaneous,	603 46
Brigade Majors,	566 67
Aids de Camp,	151 80
Adjutants,	1,972 42
Hauling Artillery,	628 76
Courts Martial	291 78

**Total, \$4,787 49**

*Resolved*, That there be allowed and paid, out of the public treasury, to the several persons and corporations mentioned in this Roll, the sums set against their names respectively, amounting in the whole to four thousand seven hundred and eighty seven dollars and forty nine cents, the same being in full discharge of all the accounts and demands to which they refer.

*In Senate, March 1, 1830.*—Read twice and passed.

Sent down for concurrence.

**SAMUEL LATHROP, President.**

*In House of Representatives, March 3, 1830.*

Read twice, and passed in concurrence.

**W. B. CALHOUN, Speaker.**

*March 4, 1830.*

Approved,

**LEVI LINCOLN.**

## **Commonwealth of Massachusetts.**

---

**TREASURY OFFICE, MARCH 5th, 1830.**

**THE** Treasurer, having examined and adjusted the accounts presented to him, asks leave to Report—That there is due to the several persons enumerated in the following Roll, the sums set against their names respectively, which, when allowed and paid, will be in full discharge of said accounts to the dates therein mentioned.

Which is respectfully submitted.

**JOSEPH SEWALL, Treasurer.**

*To the Honorable Senate,  
and House of Representatives.*

## ROLL OF ACCOUNTS No. 2,

*Audited by the Treasurer of the Commonwealth, and reported March 5th, 1830.*

### PRINTERS.

Adams & Hudson, newspapers, to February 27, 1830,	189 88
Ballard & Co., publishing laws two years, to June, 1829, and advertising,	54 21
and for newspapers, to February 27, 1830,	113 99—168 20
Bush, Samuel W., publishing laws for 1829,	16 66
Buckingham, Joseph T., newspapers, to February 27, 1830,	153 91
Boothby, William, jr., newspapers, to February 27, 1830,	81 45
Badger & Porter, newspapers, to February 28, 1830,	190 73
Bazin, George W., newspapers, to February 28, 1830,	14 70
Chapin, Jacob, publishing laws, 1829,	16 66
Congdon, Benjamin T., for publishing laws, 1829,	16 66
Clapp, William W., newspapers, to February 27th, 1830,	62 82
Collier, William, newspapers, to February 25th, 1830,	70 70
Danforth & Thurber, publishing laws, 1829,	16 67
Dutton & Wentworth, printing for	
Legislature,	894 85
Secretary,	64 75
Treasurer,	8 10—967 70

Foote & Brown, publishing laws, 1828 and 1829,	33 32
Farmer & Brown, publishing laws, 1829,	16 66
Goodell & Crandell, newspapers, to February 24th, 1830,	15 16
Hill, Frederic S., newspapers, to February 26th, 1830,	42 46
Huntington, Joseph D., publishing laws, 1829,	16 67
Harrington, Jubal, agent for "Worcester County Republican," publishing laws for 1829,	16 67
Howe, J. F. & Co., newspapers, to February 28th, 1830,	98 98
Hale, Nathan, newspapers, to February 27th, 1830, and advertising,	95 66
Ives, S. W. & S. B., publishing laws two years, to May 1829,	33 33
Ingraham, Francis, newspapers, to February 27th, 1830,	32 30
Kingman, E., newspapers, to February 27th, 1830,	83 04
Lummas, Aaron, newspapers, to March 3d, 1830,	7 56
Mann, H. & W. H., publishing laws for 1829,	16 67
Nichols, William, newspapers, to February 28th, 1830,	23 11
Pickering, Henry J., newspapers, to March 1st, 1830,	63 24
Russell, John B., newspapers, to February 27th, 1830,	90 58
Reed, David, newspapers, to February 28th, 1830,	29 53
Sumner, F. A., newspapers, to February 26th, 1830,	40 39
True & Green, 1000 Election Sermons, second edition,	40 00
newspapers, to February 28th, 1830,	79 45
500 copies Militia Laws, ordered in March, 1829,	155 00—274 45

**MISCELLANEOUS ACCOUNTS. 353**

Wilson, Samuel, publishing laws, and advertising notice relative to the Belchertown Bank,	18 66
Willis & Rand, newspapers, to February 24th, 1830,	27 70
	<hr/>
	\$3,042 88

**MISCELLANEOUS ACCOUNTS.**

Boston, City of, repairs of buildings on Rainsford's Island, to February, 1830,	200 22
Burditt, James W., stationary, for Secretary's Office,	30 56
Legislature,	163 75—194 31
Blaney, Henry, for repairs, State House, to March 1, 1830,	10 82
Bacon, Henry, assistant Messinger, services to March 6, 1830,	112 00
Cutting, Elijah W., assistant Messinger, services to March 6, 1830,	108 00
and for his son as Page to the Senate,	52 00—160 00
Chase, Warren, assistant Messinger, services to March 6, 1830,	112 00
Fellows, Daniel, jr., balance on his account of monies received and expended in building Indian meeting house at Christiantown,	7 87
Filley, Lester, for his services in the case of the Commonwealth vs. Washington, including \$3 13 for witnesses and Constable,	17 13
Kuhn, Jacob, jr., assistant Messinger, services to March 6, 1830,	108 00
Loring, James, for Registers,	10 84
Oliver, John, Keeper of Rainsford Island, for annual allowance, including wood,	104 44
Pitts, Sarah, for the services of her son as Page to the Hon. House, to March 6, 1830,	52 00
Wheeler, John H., table, book cases and repairs, to March 1, 1830,	410 61
	<hr/>
	\$1,500 24



## 354 SHERIFFS' & CORONERS' ACCOUNTS.

### SHERIFFS.

Crane, Elijah, for returning votes,	17 50
Leonard, Horatio, for returning votes,	3 20
Willard, Calvin, for returning votes,	3 36
	<hr/>
	\$24 06

### CORONERS.

Fox, Oliver, fees of inquisition, &c.,	8 96
Hewins, Elijah, fees of inquisition,	7 40
Rhodes, William, fees of inquisition,	12 40
Snow, Prince, jr., fees of inquisition, &c.,	19 80
Woodward, James, fees of inquisition, &c.,	7 40
Withington, Ebenezer, fees of inquisition, &c.,	7 40
	<hr/>
	\$63 36

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### AGGREGATE OF ROLL No. 2.

Printers',	3,042 88
Miscellaneous Accounts,	1,500 24
Sheriffs',	24 06
Coroners',	63 36
	<hr/>
	\$4,630 54

## **Commonwealth of Massachusetts.**

---

**In the Year of our Lord One Thousand Eight Hundred  
and Thirty.**

*Resolved*, That there be allowed and paid, out of the public treasury, to the several persons mentioned in the foregoing Roll, the sums set against such persons names respectively, amounting in the whole to the sum of four thousand six hundred and thirty dollars and fifty four cents; the same being in full discharge of the accounts and demands to which they refer.

*In Senate, March 8, 1830.—*

Read twice and passed.

Sent down for concurrence.

**SAMUEL LATHROP, *President.***

*In House of Representatives, March 10, 1830.*

Read twice, and passed in concurrence.

**W. B. CALHOUN, *Speaker.***

**March 11, 1830.**

Approved,

**LEVI LINCOLN.**

## **Commonwealth of Massachusetts.**

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SECRETARY'S OFFICE, MAY 17, 1830.

I HEREBY CERTIFY, that I have compared the impression of the Resolves contained in this Pamphlet, with the original Resolves, as passed by the Legislature, at their Session commencing in January last, and find the same to be correctly printed.

EDWARD D. BANGS,

*Secretary of the Commonwealth.*

# INDEX

## TO THE RESOLVES

OF THE

SESSION IN JANUARY, FEBRUARY AND MARCH, 1830.

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### A.

Accounts against the Commonwealth, further rules respecting auditing of, . . . . .	245
“ Roll of, audited by Committee of Accounts, No. 102, . . . . .	312
“ Roll of, audited by Committee of Accounts, additional to No. 102, . . . . .	341
“ Roll of, audited by Treasurer, No. 1, . . . . .	336
“ Roll of, audited by Treasurer, No. 2, . . . . .	351
Adams, Nathan, administrator, empowered to sell certain real estate, . . . . .	279
Adjutant General, authorized to convey certain land in Greenfield, . . . . .	280
Adjutant General, directed to inquire respecting certain militia fines, . . . . .	286
Agricultural Society, Massachusetts, certain provisions in favor of, rescinded, . . . . .	295
Asylum for Deaf and Dumb, provisions for supporting pupils at, 248—253	295
Asylum for the Blind, appropriation in aid of, . . . . .	295
Atwood, William T., to be supported at Asylum for Deaf and Dumb, . . . . .	253

### B.

Balfour, Walter, former marriages by, made valid, . . . . .	273
---	-----

Bank, Sutton, affairs of, to be investigated by Committee, . . .	244
“ Farmers’, affairs of, to be investigated by Committee, . . .	244
“ Brighton, affairs of, to be investigated by Committee, . . .	252
“ “ Solicitor General directed to assist in investigation of its affairs, . . .	253
“ “ expenses of investigating affairs of, provided for, . . .	292
Banks, Belchertown and Sutton, expenses of investigating affairs of, provided for, . . .	289
Blind, New England Asylum for, appropriation for support of, . . .	295
Briggs, Malbone, relieved from obligations in his recognizance, . . .	266
Brown, William, Executor, empowered to sell certain real estate, . . .	291

## C.

Canal Route, between Buzzards’ and Barnstable Bays, documents respecting, to be procured, . . .	280
Chaplain of Senate, pay of, provided for, . . .	310
Chappequiddic Indians, provisions for relief of, in division of lands, . . .	282
Chappequiddic Indians, agent for visiting, paid for services, . . .	303
Child, David, Guardian, allowed to perpetuate evidence of notice of sale of real estate, . . .	275
Claim of Massachusetts upon the General Government, report, &c., respecting, . . .	256
Clerks of Senate and House, pay of, provided for, . . .	307
Commissioners appointed to effect settlement respecting claims of Trustees of Hopkins’ Charity, . . .	300
Congregational Society, first in Saugus, may sell real estate, . . .	284
Cook, Mary, allowance to, for support of certain pauper, . . .	276
Coolidge, Flavel, sum due from, to Commonwealth, remitted, . . .	284
Cotton, Rosetter, allowance to, for transcribing laws, &c., of Plymouth Colony, . . .	267
County Taxes, granted, . . .	264

## D.

Deaf and Dumb, Asylum for, provisions for supporting pupils at, . . .	248-253
Dorchester, certain old records and plans of, to be deposited in Norfolk Registry of Deeds, . . .	269

# INDEX.

iii

## E.

Equity, remedies in, Committee appointed to inquire concerning, 281

## F.

Fairhaven, allowance to overseers of poor of, . . . . . 290  
 Farmers' Bank, at Belchertown, affairs of, to be investigated, 244  
 Fisher, jr., James, to be supported at Asylum for Deaf and  
     Dumb, . . . . . 248  
 Fiske, Rufus, guardian, empowered to lease certain real estate, 294

## G.

Gates, Samuel, executor, authorized to sell certain real estate, 272  
 Governor, requested to transmit Resolutions respecting Massa-  
     chusetts Claim, to Members of Congress, &c., 263  
     " with advice of Council, authorized to appoint a Sur-  
         veyor to make a survey of the Commonwealth, 278  
     " requested to procure documents respecting survey of  
         Canal Route between Barnstable and Buzzards'  
         Bays, . . . . . 280  
     " requested, with advice of Council, to select a site for  
         Lunatic Hospital, &c., . . . . . 296  
     " requested to forward copies of Resolve respecting  
         surveys for Rail Roads, . . . . . 310  
 Governor's Message, at opening of the Session, . . . . . 211  
     " " transmitting Resolutions from Vermont,  
         Missouri and Mississippi, . . . . . 242  
     " " transmitting Report of Survey of Rail Road  
         from Boston to Lowell, . . . . . 243  
     " " transmitting Resolutions from Pennsylv-  
         nia and Georgia, . . . . . 251  
     " " transmitting communication from Attorney  
         General, . . . . . 276  
     " " informing of the resignation of Maj. Gen.  
         S. Leach, . . . . . 297  
     " " returning Bill respecting Costs, with his  
         objections, . . . . . 304  
 Gray, Henry, an alien, empowered to hold certain real estate, 249

**H.**

Hanscam, Joshua, empowered to exchange certain estate of his wife, . . . . .	254
Henry, William, executor, empowered to sell certain real estate, . . . . .	287
Holland, town of, empowered to assess tax, to reimburse town of Wales, . . . . .	246
Hopkins' Charity, provisions for settlement of claims and differences respecting, . . . . .	300
Hospital, Lunatic, provisions for erecting, . . . . .	296
Humphrey, Lemuel, and another, executors, empowered to sell certain real estate, . . . . .	288

**I.**

Indians, Marshpee, school houses for, to be built, . . . . .	274
"    Chappequiddic, provisions for relief of, in division of land, . . . . .	282
"    "    agent for visiting, paid for services, . . . . .	303

**K.**

Kellogg, John, allowance to, for services as aid to Maj. Gen. Whiting, . . . . .	285
Kendall, Thomas, guardian, allowed to perpetuate evidence of notice of sale of real estate, . . . . .	274
Kibbe, William, grant of land to, . . . . .	267

**L.**

Low, John V., Assistant Messenger to Governor and Council, paid for services, . . . . .	311
Lunatic Hospital, provisions for erection of, . . . . .	296

**M.**

Marshpee Indians, two school houses for, to be built, . . . . .	274
Massachusetts Claim, Report and Resolutions concerning, . . . . .	256
"    Agricultural Society, certain provisions in favor of, repealed, . . . . .	295
Medford, town of, allowance to, for support of paupers, . . . . .	292
Message of Governor, at opening of the Session, . . . . .	211
"    "    transmitting Resolutions from Vermont, Missouri and Mississippi, . . . . .	242

## INDEX.

Message of Governor, transmitting Report of Survey for Rail Road from Boston to Lowell,	243
" " transmitting Resolutions from Pennsylvania and Georgia,	251
" " transmitting communication from Attorney General,	276
" " informing of the resignation of Major General S. Leach,	297
" " returning Bill respecting Costs, with his objections,	304
Militia Fines, inquiry respecting, directed,	286
Munroe, Jonas, Administrator, empowered to sell certain real estate,	293

## N.

New Bedford, town of, allowance to Overseers of Poor of,	286
Norfolk County, certain plans, &c., to be deposited in Registry of Deeds for,	269

## O.

Oakham, town of, to be indemnified for support of Charles Stone, when a minor,	255
Orne, Sarah, allowance to,	256
Osgood, Isaac P., guardian, empowered to sell real estate of certain minors,	246

## P.

Perkins, Seth, grant to, on account of wound when on military duty,	251
Perkins, Thomas H., and others, trustees, empowered to sell certain real estate,	297
Pettingell, John, deceased, right of grand children in estate of, may be conveyed,	265
Plans of the several towns, &c., to be taken,	270
Plymouth Colony, laws and ordinances of, transcript provided for,	267
Porter, jun., William, reimbursed certain expenses on public account,	249

## Q.

Quarter Master General's Department, appropriation for,	307
---	-----



**R.**

Rail Roads, General Government requested to cause surveys for, to be made, . . . . .	310
Root, Joseph, allowance to, for services as acting Brigade Major, &c., . . . . .	283

**S.**

Saugus, First Congregational Society in, may make sale of real estate, . . . . .	284
School Returns, to be printed and distributed, . . . . .	309
Senators in Congress, requested to apply for certain surveys of routes for rail roads, . . . . .	310
Shaw, Lemuel, appointed to inquire respecting laws relating to Remedies in Equity, . . . . .	281
Shirley, town of, allowance to, for support of paupers, . . . . .	309
Solicitor General, directed to assist in investigating affairs of Brighton Bank, . . . . .	253
State Prison, appropriation for, . . . . .	255
“ “ inquiry to be made respecting means for employment of convicts discharged from, . . . . .	283
“ “ provision for erecting a Chapel at, . . . . .	290
State House, provisions for painting Doric Hall of, . . . . .	303
Survey of the several towns and districts of the State, provided for, . . . . .	270
“ of the Commonwealth, provided for, . . . . .	278
Sutton Bank, affairs of, to be investigated, . . . . .	244

**T.**

Taxes granted for the several Counties, . . . . .	264
Towns directed to cause surveys to be made and returned, . . . . .	270
Treasurer of Commonwealth, further directed respecting auditing of accounts, . . . . .	245
“ “ authorized to borrow money, . . . . .	248
“ “ Communication of, transmitting Roll of Accounts No. 1, . . . . .	335
“ “ Communication of, transmitting Roll of Accounts No. 2, . . . . .	350
Trustees of Charity of Edward Hopkins, provisions for adjustment of their claims against tenants, &c., . . . . .	300

## INDEX.

vii

### V.

Varnum, Benjamin F., guardian, allowed to perpetuate evidence of notice of sale of real estate, . . . . .	308
--	-----

### W.

Wales, town of, to be reimbursed certain expenses, by town of Holland, . . . . .	246
Whitney, Moses, allowed to perpetuate evidence of notice of sale of real estate, . . . . .	250
Worcester, County of, allowance to, for use of House of Cor- rection, . . . . .	302

---



**RESOLVES**  
**OF**  
**THE GENERAL COURT**  
**OF THE**  
**Commonwealth of Massachusetts,**  
**PASSED AT THEIR SESSION,**  
**WHICH COMMENCED ON WEDNESDAY, THE TWENTY-SIXTH OF MAY, AND ENDED ON MON**  
**DAY, THE SEVENTH OF JUNE, ONE THOUSAND EIGHT HUNDRED AND THIRTY.**

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*Published agreeably to a Resolve of the 16th January, 1812.*

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.....  
**1830.**

17. 11. 1914. To 19. 11. 1914.

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*Hurwich,*

*Orleans,*

*Provincetown,  
Sandwich,*

*Truro,  
Wellfleet,*

*Yarmouth,*

Oren Howes,  
Samuel Knowles,  
Thomas Fish,  
Elijah Swift,  
Isaiah Chase,  
James Long,  
Daniel Comings,  
John Kenric,  
Isaac Small,  
Shadrach Freeman,  
Thomas Swift,

Joseph Holbrook, 3d.,  
Benjamin R. Witherell,  
James Crowell,  
Charles Hallet,

#### DUKES COUNTY.

*Chilmark,  
Edgartown,  
Tisbury,*

Smith Mayhew,  
Leavitt Thaxter,  
David Look,

#### COUNTY OF NANTUCKET.

*Nantucket,*

Isaac Folger,  
George W. Gardner,  
Seth Pinkham.

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PELHAM W. WARREN, ESQ., *Clerk.*

REV. JOSEPH TUCKERMAN, *Chaplain.*

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JACOB KUHN, *Messenger to the General Court.*

ELIJAH W. CUTTING, }  
JACOB KUHN, JR., } *Assistant Messengers.*

CHARLES PITTS, *Page to the House.*

**RESOLVES**  
OF  
**THE GENERAL COURT,**  
OF THE  
**COMMONWEALTH OF MASSACHUSETTS,**  
PASSED BY THE GENERAL COURT,  
AT THEIR SESSION, WHICH COMMENCED ON WEDNESDAY, THE TWENTY-SIXTH OF  
MAY, AND ENDED ON MONDAY, THE SEVENTH OF JUNE, ONE THOUSAND  
EIGHT HUNDRED AND THIRTY.

—  
**GOVERNOR'S SPEECH.**  
—

REPRESENTATIVES' CHAMBER, MAY 29, 1830.

*At 12 o'clock, noon, agreeably to assignment, the two Houses assembled in Convention, when His Excellency the Governor came in, preceded by the Sheriff of Suffolk, and attended by His Honor the Lieutenant Governor, the Honorable Council, and the Secretary, Treasurer, and Adjutant General, and delivered the following*

**SPEECH:**

*Gentlemen of the Senate, and*

*Gentlemen of the House of Representatives:*

THE most grateful return, by a public officer, for expressions of political confidence, is to be found in the

manifestation of a sincere and earnest devotion to the appropriate duties of his station. With deep impressions of obligation to this measure of acknowledgment for the honor again conferred upon me by the suffrages of my fellow citizens, in faithful obedience to their will, with entire trust in your support and cooperation, and with humble dependence upon the blessing of heaven, for the success of honest endeavours, I now present myself before you, as the immediate representatives of our common constituents, solemnly to recognize my high responsibilities, and to renew the pledge of fidelity and assiduity of effort in the service of the State.

It is the distinguishing characteristic of a Republican Government, that measures and men are alike within its control. They who have the power to constitute the one, have the right also, to direct the other. A constant reference to the people, as the source of authority and of the elevation to office of those by whom it is exercised, cannot fail to prove an effectual guard against intentional error, while the frequency of elections will seasonably correct mistaken counsels, and enforce the popular will.

In addressing the Legislature, at the commencement of the political year, I am admonished by the uniformity of past experience, that few subjects, beyond the necessary measures of organization and arrangement, can conveniently, at this season, receive attention. Happily, there are none known to exist of new impression, or of pressing urgency for immediate disposition. The legislature of the last year, occupying these places but a few weeks since, with patient and laborious investigation, passed upon many of the most interesting topics of public regard, and gave to them a direction, which, at



this time, there is neither the ability nor the inclination to revise. Others of them must probably await the more favorable opportunity for leisure consideration. Yet although little should now be done in the work of legislation, it can be neither untimely nor unappropriate to advert to the great objects of duty, and to contemplate the purposes for which we have been delegated here.

The frame of our government was the device of the wisdom and patriotism of a former age. A half century will, with this year, be completed, and more than a generation of men have passed away, since the declaration of rights and the constitution of the state government were committed, as a system of new and untried experiment, to the capacity and faithfulness of the people to administer and to sustain. Their intelligence and their virtue have yet proved equal to the trust, and the men of this generation may proudly show their characters unsullied, their inheritance unimpaired, their Commonwealth, beyond anticipation, prosperous and great. Our ancestors, by their achievements and acquisitions, secured for their descendants, rather than to their own enjoyment, the institutions which we so justly prize. The free schools were established, through their love of knowledge. The college, by their munificence, was made the nursery of piety and learning;—and temples, dedicated to religion, were the altars which they reared, to liberty of conscience and a pure worship. The means by which these privileges and blessings are to be preserved for posterity are now in our keeping. We are charged with their present use, and bound, by every motive of interest and of duty, to their highest improvement. It will be but an imperfect performance of ob-

ligation, that we shall merely preserve what has been transmitted to us. The age in which we live is distinguished for great advances. Broader scope has been given to intellectual power and moral action. The civil rights of man are better understood, and the just aims and true ends of government will be more strenuously insisted upon.

The most comprehensive summary of the duties of legislatures and magistrates, and one which cannot too frequently be referred to, is contained in that noblest chapter of the constitution, which enjoins upon them, the obligation to cherish literature and the sciences, to encourage private societies and public institutions for the promotion of the great interests of country, and to countenance and inculcate moral virtues, social affections, and generous sentiments among the people. In this brief compendium are enumerated all the wise purposes of legislation, and upon these objects the business of legislators is never to be exhausted. While knowledge is progressive and there is yet any thing to learn, while the arts are imperfect and there is aught to improve, while science is disclosing treasures of wisdom, and the human mind is capable of enlargement by their acquisition, there will remain to the representatives of the people, under this civil compact, the responsibility of fostering institutions of learning, of offering incentives to the free spirit of enterprise, and of encouraging, by rewards and immunities, agriculture and the arts, commerce, trades, and manufactures, and thus fulfilling the service for which a representative government was, by the framers of it, expressly declared to have been constituted. May not the inquiry be now made, to what objects, and how far, should the attention of the mem-

bers of this legislature be thus directed? It is but a narrow view of the influence of authority, which limits its exercise within the scope of legal enactment. The sentiments which are expressed here, the debates and the discussions which are had, the principles which obtain a sanction in the character of measures proposed, may, and often do, transfuse through the community, a moral power, which the imperative language of laws might, in vain, be used to produce. Is there then no favourable sentiment which may be given to the improvement of the condition of society? Are there no schemes of public enterprise, nor objects of domestic industry to be promoted? No measures for the advancement of the general interests of the state, to be pursued? Are the means of education, our common schools, the manner of their support and regulation by law, and the course of instruction which is prescribed in them, susceptible of no improvement? May not encouragement be afforded to other modes of teaching, and inducements offered to higher qualifications of Teachers? There are unquestioned defects in existing arrangements, which public opinion may, and doubtless, will correct; but are no measures of favor or of relief wanting, which the interposition of the legislature alone can supply? Lyceums, those modern institutions for mutual instruction, commend themselves to your patronage. The occasion for the establishment of seminaries in the practical arts is yet unsatisfied, and without these, the system of education can never be made complete.

In one department, at least, of professional science, an earnest appeal is submitted to your consideration. The medical faculty have shown the embarrassments and difficulties of acquiring knowledge in a branch of

their profession, and their frank and manly representation deserves the most respectful regard. It may be, that this latter subject is of a nature too delicate for direct legislation. But the public mind should be instructed in its interesting importance. Let it be explained, how that the knowledge which is sought in the science of anatomy concerns all the living, and that, without it, the accidents and ills of life, which art might remedy, are beyond relief. Let the reason of men be addressed, and prejudice be dispelled by information and the force of argument. It may then come to be understood, that a community which demands the exercise of skill, and denies the means to acquire it, which punishes ignorance, and precludes the possibility of removing it, is scarcely more compassionate than that Egyptian harshness, which imposed the impracticable task, in cruel oppression of the inability to perform it.

But by this reference, it is not my purpose to propose any definite act, for your adoption. I would commend the subject, only, to the discreteness of your counsels. Respect for the source whence the appeal originally proceeded, and a deep conviction of the concern which all classes in society have in its object, seemed to demand from me this notice. It should be distinctly regarded, that the faculty ask relief through no measure of violence to the sympathies of human nature. Upon the plan which they suggest, the feelings and affections which cluster in the circles of kindred and of friendship will no longer be outraged, nor the anxieties and sorrows of bereavement receive torturing aggravation. The sanctuary of the tomb will be rendered more sacred, and the sepulchres of the dead made more secure,

when the temptation to their violation, with the plea of necessity for its excuse, shall be removed together.

To the ordinary business of legislation to which your attention will be directed, the present year, there is superadded the occasion of considering proposed amendments to the fundamental Law of the Government.—The last legislature devolved this duty upon you, by a distinct reference of specific propositions to your decision, under the amendatory provision contained in the existing constitution. The inconveniences which are already experienced from the numerous delegation to the popular branch, with an apprehension of the extreme difficulty, if not utter impracticability, of affording the necessary accommodation for the despatch of public business, should the present right of representation be exercised to its full extent, together with a regard to the onerous charge thus imposed upon the public treasury, have produced an expression of sentiment, almost universal throughout the Commonwealth, that, by some arrangement, the numbers and the expense ought to be diminished. The manner in which this is to be effected will doubtless be the occasion of greater diversity of opinion. It cannot be done, in any form, but by mutual concession and compromise, a surrender of much that is local, and all that is selfish, to the common good. It is worthy of remark, that Massachusetts is almost singular among the States of the Union, for the number of her Representatives, and in the frequency of their sessions. In respect to the former, she is altogether without a parallel, and Rhode Island, under her old charter, affords, it is believed, the only other example of more frequent than annual conventions of legislative assemblies, except upon extraordinary occa-

sions. It is not improbable, that regard to the convenience of the delegates alone, originally suggested the practice of an adjourned session, in our own Commonwealth. The appointed time for the organization of the government is the busy season of husbandry, the winter that of leisure, and the peculiar interests of an agricultural community will always furnish a sufficient reason for the postponement of measures requiring deliberation and time for their disposal, to the most favorable opportunity. If the uniform observation of many years experience has now shown, that an annual session of the legislature is as frequent as the public interest, under ordinary circumstances, will require, it would seem expedient, either, that the legislature, as in our sister states of Connecticut and New Hampshire, should continue their sittings in the summer season to the completion of their business, or that the constitution should be conformed to a more convenient period for their meeting. It is most certain, that, from the combined causes of repeated sessions, an increased number of representatives, and the mode of their compensation, the charge to the state for legislation, is becoming oppressively great. The aggregate of the pay rolls for the travel and attendance of the members of the two houses, the last year, much exceeded the sum granted for the state tax, and inclusive of the roll of the Executive Council, fell little short of ninety one thousand dollars. That a remedy must somehow be provided against this increasing burden, with the inconveniences which are continually multiplying upon the administration of the present system, will not be questioned. The character of the precise measures of relief, which are, or may be proposed, are not the subjects

for executive discussion. These are placed by the constitution, exclusively, upon the responsibility of the members of the legislature, and at the pleasure of the people in their primary assemblies. Having but referred to them, as matters for attention, I respectfully leave them with you, both for the time and manner of their consideration.

With the present legislative year, the period recurs, in which to adopt preliminary measures for ascertaining the ratable property within the Commonwealth. The law providing for the last valuation was passed at the second session of the General Court of 1820, and the constitution requires the service to be performed, as often, at least, as once in ten years. On the intelligent and impartial discharge of this duty, and its equal operation upon the citizens, the exercise of important civil rights, as well as the just apportionment of public burdens, is made to depend. The precedents of former occasions may serve as a directory to the course of proceedings, but the accomplishment of the business will ever prove an arduous, difficult, and highly responsible task, demanding patient labour and a sound judgment, to its successful and satisfactory execution.

The providence of the last legislature, in granting a tax for the current year, prevents the occasion of calling your attention to any measure of finance, at the present session. It will be found necessary, however, to renew the authority to the Treasurer to borrow, in anticipation of the receipts of the revenue.

In compliance with a request of the legislature, application was made by me to the Secretary of War of the United States, for copies of any reports, estimates, or documents in that department, relating to the construc-

tion of a canal across the isthmus of Cape Cod, to unite the waters of Buzzard's and Barnstable Bays, and I have recently received a copy of a report and estimates for such a work, with a map of a survey across the isthmus, and a plan and details of the proposed Canal, drawn up by the Board of Internal Improvement, in conformity to a resolution of Congress. The report presents various estimates, on different hypotheses of an upper level, and fixes the maximum cost of the canal, on the assumption of the most expensive mode, at *six hundred sixty-nine thousand, five hundred and twenty-two dollars*. The precision and minuteness of description given in these documents, will leave nothing further of information, on this subject, to be desired. If, in the judgment of the legislature, the particular interest of the Commonwealth would be promoted by the accomplishment of the project, considerations of a more general character, connected with the commerce and navigation of the country, would justify an appeal to the general government to cause its construction.—Whatever benefits would result from the measure must be largely participated in by the nation. The report and maps will be laid before you by the secretary. As the drafts are exceedingly elaborate, and highly valuable for the scientific as well as topographical information which they afford, I pray leave to suggest, that after the legislature shall have done with their present use, they should be deposited for safe keeping, and future reference, in the library of the General Court.

Under the resolve of the last legislature, providing for the erection of a Lunatic Hospital, all that attention has been given to the duties assigned to the executive, which opportunity for an intelligent and satisfactory dis-



charge of them would permit. It was deemed expedient, in the first instance, to invite communications, in relation to suitable sites for the location of the institution, the supply of materials, and the estimated expense of building. Without these aids, it would have been extremely difficult to come to the knowledge of many eligible situations, and, from a competition in offers, to obtain the best proposals for the government. As soon as time had been allowed for this preliminary information, a committee of the executive council were charged with making personal examinations of all such proposed places as seemed favourable for the object, and which fell within a circuit, sufficiently central, to satisfy the direction given by the legislature. More than thirty sites have been thus visited, the terms upon which they can be obtained generally ascertained, and the inquiries made, which are necessary to a just comparison of the advantages, which they respectively offer. In many instances, the quantity of land which may be wanted, and in some cases, additional contributions, have been proffered to the government, as inducements to a preference for particular localities. It remains yet, to arrive at a satisfactory decision upon the question. This cannot but demand the exercise of a cautious and deliberate judgment. In such establishments the cost of construction is not most to be regarded. An institution which is intended to endure and be of use for ages, may involve in its government and support, considerations of far greater moment than the mere expense of all its fixtures.— Here are needed pleasant scenery, clear and salubrious air, a market for supplies, opportunity for medical counsel and for constant visitorial inspection, and facilities of access and communication from all parts of the

state. These circumstances, in connexion with a due regard to economy in the procurement of materials and labour for the erection of the building, will now govern in determining its location. I have confidence in assuring you, that this will not be unnecessarily delayed.—The appointment of commissioners to superintend the structure will immediately be made, and with the continued favor of the government towards this interesting design, the work will be commenced, and may yet be brought to its completion, within the time originally anticipated, and before the close of another season.

Pursuant to the authority contained in certain resolves of the 3d of March last, a gentleman, distinguished for his attainments in astronomical and mathematical science, has been appointed to the important service of “making a survey and projecting an accurate skeleton plan of the state,” in the manner prescribed by the legislature. It is intended to cause as much progress in the work, the present season, as the previous engagements of the surveyor, and the delays occasioned by necessary preparatory arrangements will allow. I deem it proper, however, to apprize you, that to execute the plan of a survey, in the accurate and thorough manner proposed by the resolves, (and to do it otherwise would be little worth) the appropriation which has been made, will be altogether insufficient. There is hardly a more desirable public object than the possession of a good map of the Commonwealth. Massachusetts, to her discredit in this particular, is far behind most of her sister states. The deficiency has been long felt and loudly complained of. The most recent map of her appropriate and exclusive territory on a proper scale, was but an imperfect compilation, from incorrect and

incongruous materials, made many years since, and now scarcely in use. The convenience, both to the public and to individuals, of an original and accurate draft from astronomical observations, and precise mathematical results, must far outweigh any considerations of necessary expense, which it may occasion. Faithfully executed, it will be of abiding value. The great outlines of boundary are now permanently established, and there probably will be few alterations in minor divisions, to affect the general accuracy of the delineation, in future.

I beg leave to suggest to your consideration, the utility of connecting with the geographical surveys, an examination of the geological features of the state, with a view to the exhibition of them on the map. Much knowledge of the natural history of the country would thus be gained, and especially, the presence of valuable ores, with the localities and extent of quarries, and of coal and lime formations, objects of inquiry so essential to internal improvements, and the advancement of domestic prosperity, would be discovered, and the possession and advantages of them given to the public. I am assured, that much has already been gratuitously done, by some eminent professors in our colleges, towards the accomplishment of such a work, and that, at little expense, it might be completed, and the fruits of their generous labors thus far, be secured to the State. This, however, will require the interposition of your authority in increasing the present appropriation, and permitting an application of it, so far as may be necessary, in the exercise of a sound discretion, to the end proposed.

By a communication from the Governor of Maine, I have been officially advised of the proceedings of the

legislature of that State in making adequate provision for the completion, in the course of the present season, of that part of the Canada Road, so called, which is north of the Bingham Purchase, and which is designed to open a carriage conveyance through the public lands, to the neighbouring Province, and to the city of Quebec. Massachusetts having heretofore appropriated the proceeds of the sale of a township of land towards this work, upon condition that the State of Maine would cause the road to be finished by the first of November next, it will be seen with peculiar satisfaction, that although the expense to the latter government has been more than twofold the estimated cost, it has been promptly provided for, and the accomplishment of the object secured, within the limited time. This public improvement will add much to the value of the property which the Commonwealth yet retains in the lands in Maine.

Accompanying the documents relating to the last mentioned subject, the Governor also transmitted a copy of a resolve of the legislature of the State, expressing "a deep sense that the people of that State "entertain of the justice of the claim made by the "Commonwealth of Massachusetts, on the government of "the United States, for the services of the militia in defending the Commonwealth (then including the territory of "Maine) from invasion, as well as for the services rendered "on well founded apprehension of invasion, during the "last war"; and requesting the senators and representatives in Congress from the State, "to use their best "endeavours to obtain an immediate provision by Congress for the payment of such portion of the claim, "as is now admitted to be due, upon the rules and reg-

“ulations, which have been applied to the adjustment  
“of similar claims from other States.”

I regret the occasion now to say, that notwithstanding the united representations and appeals of both States, the clear and unquestionable character of the claim, the zealous and unremitted efforts to obtain its allowance, the full and explicit admissions of its justice, in reports by different committees of the House of Representatives, and recently by a solemn act of the Senate in the passage, without division, of a bill providing in part for its payment, we are like to suffer still further most injurious delays in its settlement. The House of Representatives, at the last dates from Washington, had not acted upon the bill from the Senate, and there is scarce ground for hope, that if it was to become a matter for debate, it would be moved in the closing days of the session. When the disposition which shall be made of it, is ascertained, and opportunity had to learn from the delegation, the measures, if any, which the interest of the Commonwealth requires, I may find cause to ask your indulgence in permitting me again, and with more particularity, to present the subject to your attention.

Resolutions of the legislature of the State of Ohio, declaring the sense of that assembly, “That the Tariff  
“of eighteen hundred and twenty-eight accords with  
“the spirit of the constitution of the United States, and  
“that it maintains the true principles of protection to  
“the industry of the country against foreign policy and  
“legislation;” and resolutions of like import, adopted by the general assembly of the State of Delaware, have been forwarded to me, to be laid before the legislature of this Commonwealth.

There are several subjects of important public bearing, upon which I intentionally abstain from addressing you, at the present time. On former occasions, I have spoken of them freely, and in the manner which a sense of duty seemed to require. They relate to measures for the encouragement and promotion of internal improvement, permanent provision for an adequate revenue, and a revision and amelioration of the laws concerning imprisonment for debt. These subjects have become familiar to public consideration. They have lost none of their interest from any change of circumstances, or by the lapse of time, and in the acceptable season, I doubt not, they will receive a favourable determination.

LEVI LINCOLN.

## CHAP. I.

*To the Honorable Senate, and  
House of Representatives.*

The Secretary of the Commonwealth is charged with delivering, to the two branches of the legislature, the documents referred to in the Communication which I had the honor to address to them in Convention, this morning.

LEVI LINCOLN.

*Council Chamber, May 29, 1830.*

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## CHAP. II.

*To the Honorable Senate, and  
House of Representatives.*

The Inspectors of the State Prison have forwarded to me a report, prepared in pursuance of a resolve of the 4th of March last, directing their attention to inquiries on the subject of providing a place of employment for discharged convicts, with a view to furnishing them with means of subsistence, and by encouraging them to voluntary labor, securing their permanent reformation. The report, which is unfavourable to the probable success of a separate establishment by the state, for this purpose, from a variety of facts and considerations, which are forcibly presented, is specially intended for the information of the legislature, and, in compliance with a request of the Chairman of the Board of Inspectors, is herewith transmitted for your notice.

LEVI LINCOLN.

*Council Chamber, May 31, 1830.*

## CHAP. III.

*To the Honorable Senate, and  
House of Representatives.*

By a communication from the Honorable Chief Justice of the Supreme Judicial Court, my attention has been directed to the statutes of the Commonwealth, by which the terms of that court are to be held, the ensuing fall, in the counties of Bristol and Essex. It happens, the present year, that the time fixed by law for holding the court in the first mentioned county, falls on the same day with the appointed time for the law term, in the latter; the Tuesday next preceding the third Monday of November, and the sixth Tuesday after the fourth Tuesday of September, by which mode of the computation of time, the commencement of those terms respectively is to be ascertained, being, in the calendar of this year, identical. The consequence must therefore necessarily be, either an adjournment of one or the other of those terms, or the absence of one of the Justices of the court from the sittings at Salem. It is undoubtedly the intention of the government, that the hearing of causes, in the last resort, upon important questions of law, and on the most solemn issues, should, at all times, be had, before the whole Bench of Judges, and the known pendency of cases of the deepest interest to the community, as well as to individuals in Essex, renders it peculiarly important that this should be within the power of the court, at the next term, in that county. I therefore beg leave to recommend to the legislature, the expediency of so changing the time for holding the courts, in the aforementioned counties, as that the term in Bristol may not hereafter interfere with the desirable attendance of all the Judges at the fall term in Essex.

LEVI LINCOLN

*Council Chamber, June 3, 1830.*



## CHAP. IV.

*To the Honorable Senate, and  
House of Representatives.*

It becomes my duty to inform the two Branches of the Legislature, that a vacancy has been created in the command of the sixth division of the militia, by the resignation and honorable discharge of Major General Franklin Gregory.

LEVI LINCOLN.

*Council Chamber, June 3, 1830.*

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## CHAP. V.

*To the Honorable Senate, and  
House of Representatives.*

I have the high satisfaction of officially informing you, that I am advised of the passage of a law, by Congress, making provision for the settlement and payment, in part, of the claim of Massachusetts against the United States, for the services of the militia, during the last war. An authenticated copy of the act has not reached me, but it is understood to be the same as published in the papers of the day. It is most justly due from me to our delegation in both Houses, to add, that, to their watchful care and attention, and faithful and devoted efforts, at all times, and in whatever manner they might promise to be effectual, and to their patience, prudence and wisdom, in improving proper opportunities for pressing the subject upon the just consideration of Congress, the State is in a great degree indebted for that measure of right, late and imperfect as it is, which even now has been accorded to her.

The law which is passed, refers back the claim for examination and allowance to the Treasury department, under instructions from the Secretary of War. I am not yet informed, and it may not be in my power to learn, before the adjournment of the legislature, how far it will be required of the State to enter into a revision of the accounts, which have heretofore been audited, and to discuss the principles, upon which, under the provisions of the act, we shall be entitled to payment. If the charges, with the mass of documentary evidence in their explanation, and the multifarious vouchers to their support, are again to be particularly examined, it *must* require much time, and will render necessary the employment of an agent, on the part of the Commonwealth, who is familiar with the papers, and may give to them their proper application. With the services of such an agent, it may be found expedient to connect the talents and attention of some other gentleman, who shall more particularly be relied upon to urge the principles of allowance in favor of the claim, and to meet and obviate objections, should any be opposed, to the admission of the items, or to the sufficiency of the evidence, which is adduced in their support. The final settlement of the accounts may thus also be greatly expedited, and the payment of the money more promptly obtained, without greater cost ultimately to the State in the agency.

The resolve of the legislature, which is now in force on the subject, warrants the appointment by the Executive of but a single agent. From the considerations before suggested, I now respectfully recommend, that provision should be made for the employment of an additional one, if, upon the advice of the Executive Council, it shall be judged useful; or otherwise, that the former resolve should be so far modified, as to authorize the principal agent to employ, under him, such assistants or clerks, as in his judgment the interest of the State, in the prompt and satisfactory accomplishment of the business before the department, may render neces-

sary ; and that the appropriation for this purpose should be increased.

LEVI LINCOLN.

*Council Chamber, June 4, 1830.*

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## CHAP. VI.

### *Resolve on the petition of Ezra Trull.*

June 5, 1830.

On the petition of Ezra Trull, of Boston, in the County of Suffolk, guardian of Eliza Ann Castin, a minor,

*Resolved*, For reasons set forth in said petition, that the said Ezra Trull, be and he hereby is authorized and empowered by his deed, duly executed, acknowledged and recorded, to convey to John Sullivan of said Boston, merchant, his heirs and assigns, all the right, title and interest, which the said Eliza Ann Castin hath in and to a certain tract of land situate in said Boston, with the appurtenances, which John Cheverus conveyed to her by deed, bearing date the seventh day of March, in the year of our Lord one thousand eight hundred and sixteen, and which said Cheverus, by his attorney, afterwards conveyed to said Sullivan by deed bearing date, the fourth day of April, in the year of our Lord one thousand eight hundred and twenty-five : *Provided*, that the said Cheverus, his heirs, or legal representatives, or his duly authorized attorney, shall first convey, by a good and sufficient deed, to the said Eliza Ann Castin, her heirs and assigns, one undivided half of a certain other tract of land with the appurtenances, situate in said Boston, bounded easterly by the land above mentioned, and of which the said Cheverus formerly conveyed one undivided half to Henry Wright.

## CHAP. VII.

*Resolve on the petition of John S. Tyler.*

June 5, 1830.

On the petition of John S. Tyler, of Boston, in the county of Suffolk, gentleman, in his capacity of guardian to his brothers, George P. Tyler, Charles T. Tyler, Thomas P. Tyler, and Abiel W. Tyler, minors, under the age of twenty-one years, children of Royall Tyler, Esq. deceased, and dwelling in Brattleborough, in the State of Vermont ;—

*Resolved*, For reasons in said petition set forth, that the said John S. Tyler, as guardian as aforesaid, be and he hereby is authorized and empowered to make, sign, seal and deliver, and duly acknowledge one or more deed or deeds, wherein and whereby to alien, bargain, sell and convey unto Samuel Hammond, of said Boston, merchant, all the legal title, interest and estate of said minor children, in and to their respective shares as tenants in common with other children of said Royall Tyler, Esq. in certain lands and tenements, situate in said Boston, and bounded and described as follows, viz :—Two thirds of a parcel of land included in these lines—beginning at a point which is forty-eight feet southerly from Ann Street, and in the boundary line between an estate formerly of Joseph Tyler, now of Nathaniel Faxon, and the estate formerly of Royall Tyler, and from said point running eastwardly twenty-eight feet six inches, by the southwardly boundary of the estate conveyed by Royall Tyler to William Scollay, May 8, 1800, to a point on Conduit Alley, in the west side thereof, and which point is distant from Ann Street fifty feet two inches, and from said last mentioned point, running southwardly on the west line of Conduit Alley twenty-two feet, then westwardly twenty-six feet nine inches, to a point twenty-two feet distant southwardly

from the point begun at, and in the same boundary line first mentioned, and thence northwardly by said boundary line twenty-two feet, to the point begun at; of which two undivided third parts said minor children are in said petition stated to be seized and entitled to four undivided tenth parts, or to one undivided tenth part each.

*Provided always*, that before the said John S. Tyler, as such Guardian, shall execute any deeds pursuant to the authority hereby given, he shall make and execute in due form of law, a bond with sufficient sureties or surety (to the acceptance of the Judge of Probate of the County of Suffolk) to the said Judge, in such penalty as the said Judge may require, with condition that the said John S. Tyler shall well and truly account for the purchase money which he may receive as the consideration for the conveyance of the said shares of said minors, and which condition shall be in the like form which is required by law, and to the same effect as when Guardians are empowered by the Judicial Courts to make sale of the real estate of minors.

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## CHAP. VIII.

*Resolve for the pay of the Council, Senate, and House of Representatives.*

June 5, 1830.

*Resolved*, That there be paid, out of the Treasury of this Commonwealth, to each member of the Senate and House of Representatives, two dollars, for each and every day's attendance as such, the present political year, and the like sum of two dollars, for every ten miles travel from their respective places of abode, once in each session, to the place of the sitting of the Gen-

eral Court: and also to each member of the Council, two dollars, for each day's attendance at that board, at every session thereof, during the present political year, and the like sum of two dollars, for every ten miles travel from their respective places of abode, once in each session thereof: and to the President of the Senate and Speaker of the House of Representatives, each, two dollars, for each and every day's attendance, in addition to their pay as members.

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## CHAP. IX.

*Resolve authorizing the Treasurer to borrow money.*

June 5, 1830.

*Resolved*, That the Treasurer of this Commonwealth be, and he is hereby authorized and directed, to borrow, of any of the banks of this Commonwealth, or any corporation therein, or of any individual or individuals, such sum or sums, as may, from time to time, be necessary, for the payment of the ordinary demands on the Treasury, at any time before the next session of the present General Court; and that he pay any sum he may borrow, as soon as money sufficient for the purpose, and not otherwise appropriated, shall be received in the Treasury. *Provided, however*, that the whole amount borrowed by authority hereof, and remaining unpaid, shall not, at any time, exceed the sum of one hundred and twenty thousand dollars.

CHAP. X.

*Resolve on the petition of Joseph B. Felt.*

June 5, 1830.

*Resolved*, For the reasons set forth in said petition, that there be delivered from the library of the General Court to Joseph B. Felt, such copies of the General Court records as are now deposited in the said Library : *Provided*, that he shall be authorized to receive only one volume at a time, that each volume shall be returned in good condition, within one month from the time of the delivery, and that at the time of the delivery he shall give to the Librarian his receipt therefor.

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CHAP. XI.

*A Resolve in relation to the pay for making Indexes to the Journal of the Senate.*

June 5, 1830.

*Resolved*, That so much of the Resolve of this Commonwealth, passed on the third day of March, one thousand eight hundred and twenty-nine, as relates to compensation for services to be rendered in making indexes to the volumes of the Journal of the Senate, be, and the same is hereby repealed.

CHAP. XII.

*Resolve on the Massachusetts Claim.*

June 5, 1830.

*Resolved*, That His Excellency the Governor, by and with the advice and consent of the Council, be, and he hereby is authorized to appoint an agent or agents, or to cause clerks to be employed, to perform such services as may be necessary, in the adjustment of the claim of this Commonwealth upon the United States for militia services, rendered during the last war.

*Resolved*, that the sum of three thousand dollars, in addition to the sum of one thousand dollars, appropriated by the Resolve passed on the twenty-sixth day of June, in the year of our Lord one thousand eight hundred and twenty-six, be, and the same is hereby appropriated, to defray any expenses, which may be incurred, in the adjustment of said claim; and that his Excellency the Governor, with the advice and consent of the Council, be, and he hereby is authorized to draw his warrant on the Treasury accordingly.

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CHAP. XIII.

*Resolve for pay of John V. Low.*

June 5, 1830.

*Resolved*, That there be allowed and paid, from the Treasury of this Commonwealth, to John V. Low, assistant messenger to the Governor and Council, two dollars per day, for each and every day he has been or may be employed in that capacity during the present



session of the Council, and His Excellency the Governor, with the advice and consent of Council, is authorized and requested to draw his warrant on the Treasury accordingly.

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## CHAP. XIV.

*Resolve providing for the pay of Clerks of the Senate.*

June 5, 1830.

*Resolved*, That there be paid, out of the Treasury of this Commonwealth, to the clerk of the Senate, eight dollars per day, and to the assistant clerk of the Senate, six dollars per day, for each and every day they have been or may be employed in that capacity, during the present session of the General Court ; and that his Excellency the Governor be requested to draw his warrant on the Treasurer accordingly.

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## CHAP. XV.

*Resolve providing for the pay of the Clerk of the House of Representatives.*

June 5, 1830.

*Resolved*, That there be paid, out of the Treasury of this Commonwealth, to the clerk of the House of Representatives, six dollars per day, for each and every day's attendance since he has been employed in that capacity, during the present session of the General Court ; and the additional sum of four dollars, for each and every

## JACOB KUHN—PAINTING STATE HOUSE. 403

day he may have been so employed, in consideration of his performing the whole clerical duty of the House ; and the Governor is requested to draw his warrant accordingly.

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### CHAP. XVI.

*Resolve for pay of Jacob Kuhn.*

June 5, 1830.

*Resolved*, That there be allowed and paid, out of the public Treasury, to Jacob Kuhn, in full for his services as messenger to the General Court, and for his care of the State House, and all other services rendered by him, including those mentioned in a Resolve passed on the nineteenth day of October, in the year of our Lord one thousand eight hundred and fourteen, for the year commencing the thirtieth day of May last, the sum of one thousand dollars, payable quarter yearly ; and his Excellency the Governor, with the advice of Council, is requested to draw his warrant accordingly.

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### CHAP. XVII.

*A Resolve providing for painting a part of the State House.*

June 5, 1830.

*Resolved*, That His Excellency the Governor be requested and authorized to cause the entries and staircases leading to the chambers of the Legislative, and Executive departments, to be painted and whitewashed,

## 404 SURVEY OF THE COMMONWEALTH.

and also, to whitewash the ceiling of the Senate Chamber, and to repair the ante chamber, next adjoining the room occupied by the Governor and Council, and that he be authorized to draw his warrant on the Treasury for the amount of the expenditure in the improvement, not exceeding three hundred and fifty dollars.

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### CHAP. XVIII.

*Resolve authorizing further appropriations for a Survey of the Commonwealth.*

June 5, 1830.

*Resolved*, That His Excellency the Governor, by and with the advice of the Council, be, and he hereby is authorized to draw his warrant, from time to time, upon the Treasurer of the Commonwealth, for any sum or sums, not exceeding five thousand dollars, in addition to the sum heretofore appropriated, which may be necessary to carry more fully into effect the Resolves authorizing the appointment of a surveyor, to make a general survey of the Commonwealth, passed on the third day of March last : *Provided*, said survey shall be made in such manner, and upon such principles, as the Governor and Council may direct ; any thing in the Resolves above referred to to the contrary notwithstanding.

*Resolved*, That His Excellency the Governor, by and with the advice of the Council, be, and he is hereby authorized to appoint some suitable person, to make a Geological examination of the Commonwealth, in connection with the general survey, in order that the same may be inserted on the map which may be published, and he is authorized to apply such portion of the sum herewith appropriated, not exceeding one thousand dollars, as may be necessary for the accomplishment of this object.

CHAP. XIX.

*Resolve to provide Fuel, &c.*

June 5, 1830.

*Resolved*, That there be paid out of the Treasury of this Commonwealth, to Jacob Kuhn, Messenger of the General Court, the sum of one thousand dollars, to enable him to purchase fuel and such other articles, as may be necessary for the use of the General Court, Council Chamber, the Secretary's, Treasurer's, Adjutant General's, and Quarter Master General's offices, and also for the Land office; he to be accountable for the expenditure of the same.

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CHAP. XX.

*A Resolve for paying the Commissioners appointed to hear the Trustees of the Charity of Edward Hopkins, and the Tenants who hold lands under the said trust, for their services and expenses.*

June 5, 1830.

*Resolved*, That there be paid, out of the Treasury of this Commonwealth, to the Hon. Solomon Strong, the sum of fifty-three dollars and forty-eight cents, and to the Hon. Nathan Brooks, the sum of thirty-four dollars and sixty cents, in full for their services and expenses as Commissioners, under the Resolve of the Legislature of the eleventh of March last, to hear the Trustees of the Charity of Edward Hopkins, and the tenants of the lands held under said Trustees, in the towns of Hopkinton and Upton, and making a report thereon at the present session.

*Resolved*, That His Excellency the Governor, by and with the advice and consent of Council, be, and he hereby is authorized to draw his warrant on the Treasury for the above mentioned sums.

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## CHAP. XXI.

*Resolve authorizing the appointment of Commissioners to inquire into the condition of Banks.*

June 7, 1830.

*Resolved*, That the Governor, by and with the advice and consent of the Council, be, and he is hereby authorized and required to appoint three suitable persons, as Commissioners, for each County in this Commonwealth, in which there may be any bank or banks, whose duty it shall be to examine into the condition of the banks in their respective counties, in such manner, and to such extent, as will enable them to report, whether, in their judgment, the charters of the banks so examined may be renewed or extended, consistently with the public security, and if, in any particular case, they should deem it inexpedient for the Legislature to extend any particular charter or charters, then to report a detailed statement of the facts upon which their opinion is founded. And it shall be their duty to seal up their reports respectively, and make returns thereof to the Secretary of the Commonwealth, ten days at least before the third Wednesday of January, 1831. *Provided, however*, that one of said Commissioners, to be appointed for any county, shall not be an inhabitant of the county in which he may be appointed to act.

And, for the purposes of such examination, said Commissioners shall have power to send for persons and papers; and they, or any one of them, are hereby empower-

ed to administer an oath to the President, Cashier, or to any Director of any bank, to make true answers to any interrogatories, which may be put to them, or any of them, touching the transactions or condition of their respective banks.

## ROLL, No. 103....JUNE, 1830.

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The COMMITTEE ON ACCOUNTS, having examined the several accounts for support of State Paupers presented to them, Report,

That there are due to the several Corporations and persons hereinafter mentioned, the sums set to their names respectively, which, when allowed and paid, will be in full discharge of said accounts, to the dates therein mentioned.

By order of said Committee,  
ELIHU HOYT, *Chairman.*

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### PAUPER ACCOUNTS.

Abington, for support of Margaret Jack, Antonio Julio, and Josiah Thompson, to June 2, 1830.	\$35 22
Adams, for support of Chester Dean, Phila Hill, Robert Harris, Sarah Goodrich, Sarah Dodge, Agnes Mores, Mary Rice, to June 1, 1830.	127 11
Bridgewater, for support of John Chestnut and wife, Amy Ward, Rachel, a coloured person, and Amy Ward, a child, to May 28, 1830.	63 88
Belchertown, for support of Hannah Levens, Susannah McIntire, Joel Lillie, and Lucinda McKee, a child, to June 1, 1830.	69 01

# PAUPER ACCOUNTS.

409

Barnstable, for support of John Robinson, to May 27, 1830.	13 50
Beverly, for support of Dolly Claxton, Richard Dorain, Catharine Dorain, Sally Boyle, Catharine Cameron, Elizabeth McGrevie, John Knap, Maria Clark, Mary Dulem, Paul Peterson, James Kennesy, William Johnson, Samuel Winn, Nabby Winn, John McGregor, George Beard, Priscilla Ford, and the following children, viz. James and Alfred McGrevie, Jos. Cameron, Benj. Cameron, John Clark, William Dulem, Joanna Winn, Alfred Winn, Mary Winn. Supplies to John Kelly, to June 1, 1830.	149 82
Barre, for support of Elizabeth Walker till her death, Dinah Bockee, and James Davis, a child, to May 25, 1830.	33 45
Blandford, for support of John H. Durlam, Susan Burdick, and Lettice Brewster, till her death, to May 26, 1830.	134 60
Boston, for support of sundry paupers, and supplies furnished by Overseers, to June 1, 1830.	1784 70
Boston, for support of sundry paupers in House of Industry, to June 1, 1830.	6080 87
Boston, for support of sundry paupers in House of Reformation for Juvenile Offenders, to June 1, 1830.	329 57
Becket, for support of Elizabeth alias Ziba Hamblin, Maria Parker, and her infant, illegitimate, coloured child, to May 26, 1830.	46 00
Clarksburg, for support of Naomi Hill, Malvina Hill, William Hill, Caroline Hill, a child, James Cook, and amount allowed for error in last account, to June 1, 1830.	79 80
Chester, for support of Ann Butolph, Jenny Hardy, and Benj. Powers, to June 1, 1830.	140 40
Cheshire, for support of Levi Pierce, Ephraim Richardson, Noel Randall, Polly Cooper, and Molly Dimond, to May 23, 1830.	91 80



Coleraine, for support of Peter R. Hart, Betsy Hart, Kate Vanvaltenburg, Lucy Freeman, and her two illegitimate children, and Stephen, illegitimate child of Sally Hart, to May 24, 1830.	132 00
County of Essex, for support of sundry paupers in the House of Correction, to April 13, 1830.	542 00
Charlestown, for support of sundry paupers, to June 2, 1830.	2350 45
Cummington, for support of Prester Pierce, to May 19, 1830.	93 60
Cambridge, for support of sundry paupers, to June 2, 1830.	2161 80
County of Suffolk, for support of sundry paupers in the House of Correction, to March 31, 1830.	358 81
Dalton, for support of Richard Hoose, Molly Hoose, and Charles McKee, a child, to May 20, 1830.	46 00
Dighton, for support of Molly Fish, to June 1, 1830.	19 35
Dracut, for support of Moses Freeman, and the wife and six children of Robert Casley, to June 3, 1830.	81 46
Deerfield, for support of sundry paupers, to June 1, 1830.	157 71
Edgartown, for support of Emanuel Salvors, to June 1, 1830.	46 80
East Bridgewater, for support of Lucinda Nero, Betty Chase, Nathaniel Lawrence, Elihu Stevens, Robert Seaver, Asa Mingalls, Charlotte Wood, Meribah Williams, Samuel Wood, Joseph S. Perry, wife and three children, to May 27, 1830.	230 00
Foxborough, for support of Caroline G. Howe, and Susan Rider, to May 21, 1830.	21 60

# PAUPER ACCOUNTS.

411

Fitchburg, for support of Thomas Riley till his death.	15 88
Great Barrington, for support of Hannah Williams, Chauncey Williams, a child, and Chester, Christopher, Mary, Cornelius, Elisha J. and Sarah J. children of said Hannah Williams, James Cole, Daniel Lynch, Mary Hoose till her death, Joanna Porter, Lucy Porter, Peter Smith, and the following children, viz. Edward Wells, Amarilla Wells, William Wells, children of Ann Wells, to May 26, 1830.	173 55
Granville, for support of Mary Barden, Sally Hart, Samuel Gallup, and funeral expenses of Chauncey E. Ford, to May 26, 1830.	53 60
Gloucester, for support of Elizabeth Dowsett, Anna Youling, Nancy Youling, Mary Youling, a child, Elizabeth Dade, Betsy Lang, Leah Francis, Betsy Watkins, Lydia Witham, Betsy Brooks, John Shaptoe, William Pressa, Samuel Youling, Mark Grimes, Benjamin Laroque, George Gardner, David Paul, till his death, to June 1, 1830.	283 40
Holliston, for support of Henry Burley, and John B. Ford, to June 1, 1830.	65 70
Longmeadow, for support of Dorcas Covel, till her death, and Rachel Parker, to May 20, 1830.	36 50
Lee, for support of Sarah Ross, John Marble and wife, Sarah Bates, and John Brumin, to May 25, 1830.	75 60
Lanesborough, for support of Eunice Foot, Lucy H. Goman, Mary Squires, Amos Dodge, Mary Dodge, Amelia Bennett, Mary Van Sickle, and the following children, viz. Rufus Dodge, Louisa Dodge, John Dodge, Lucinda F. Dodge, Amanda Lane, John Stanborough, Harriet Stanborough, to May 25, 1830.	196 00

Lenox, for support of McGraw, Edward Hurlbert, Samuel Boid, Jane Austin, Dayton Fuller, Samuel Bell, Lucinda Hurlbert, Aurilla Hurlbert, Samuel Jackson, Caroline Weaver, Catharine Hough, John Tinyke, till his death, to May 24, 1830.	162 78
Leyden, for support of Arnold Clarke, Tacy Clark, Ruth Abel, Joseph Abel, Hannah Cole, Phillis Young, and Jane Golden, to May 20, 1830.	118 00
Montgomery, for support of Willard Convers, and Hannah Boham, to June 1, 1830.	38 83
Monson, for support of Mary Allen, Flora Storey, Roxana Wallis, Hannah Brown, Marilla McIntire, and the following children, viz. Benjamin Wallis, Dickinson Wallis, Lucinda McIntire, Darius McIntire, and Rufus McIntire, to May 1, 1830.	119 00
Mendon, for support of Levi Young, John Agur, Martha Newell, Joanna Smith, Althea Johns, and her infant child, John Gough and wife, and John, Sarah and James, children of said John Gough, Ezra Comstock, and Andrew Sloan, a child, to June 1, 1830.	313 37
Milton, for support of James Bowman, Archibald McDonald, John J. Myers, George Hamilton, a child, Mary A. Wright, a child, to May 31, 1830.	46 80
Medford, for support of Dorothy Lyman, Lydia Brooks, Martin Brooks, Harriet Ann Brooks, Elias Brooks, Sarah Yarnier, and John Yarnier, to June 1, 1830.	408 60
North Brookfield, for support of Esther Johnson, to May 17, 1830.	17 10
Norton, for support of Moses Shute, to May 13, 1830.	17 10
Newburyport, for support of sundry paupers, to June 1, 1830.	809 96
Newbury, for support of Susannah Stackpole and two children, Mary Mathews, Docia	

Francis, and child, Charlotte Mingo, Sarah Broughton and two children, Thomas Green, wife and three children of Charles Fields, Lemuel Smith, wife and three children of Thomas Curtis, Benjamin Foss, Dinah, a black woman, wife of Daniel Thomas, Catharine Marshall and five children, Philip Butler, Thomas Curtis, William McCarn, Ira Thompson till his death, Moses Cheney, Daniel Thomas, Samuel Winn, wife and three children, William Schwartz, Huldah Slatters, James Hacket, Moses Knight, Elizabeth McGreery and two children, Rebecca Ross and three children. Supplies to Rebecca Rogers and daughter, and widow Molly Rogers, to June 1, 1830.	566 90
New Bedford, for support of sundry paupers, to June 1, 1830.	815 60
New Marlborough, for support of Jona. Hill and Oliver Warn, to May 29, 1830.	32 00
Oakham, for support of Toby Barker, to June 1, 1830.	46 80
Oxford, for support of Emory Cummings, a child, to June 1, 1830.	8 00
Peru, for support of Robert Burgess, to June 1, 1830.	19 28
Plymouth, for support of John M. Roap, John Worthing, James Read, Maria Harrison, to June 4, 1830.	61 20
Pembroke, for support of Rhoda Prince, Mary Gifford, and Edward Smith, to June 1, 1830.	48 60
Pawtucket, for support of Jane Donaldson and child, Catharine Daly and child, to June 1, 1830.	38 44
Russell, for support of Mary Hale and Nancy Hall, daughters of John Hale, Sally Harrington, Mary Newton, John Hale till his death, to May 27, 1830.	78 20
Rowley, for support of William Davis, Orna	

Davis, William O. Bennett, Louisa Price, Jacob Wheeler, Michael Delaney, Mary Brown, John Webber, James Carnan, John McLaughlin, Maria McLaughlin, Elenory Hickory, James Hickey, Clarissa Brown, Mary Brown, John McKenny, Mary McKenny, George Beard, John Brown, Paul Peterson, Samuel Foreacres, Hannah A. Smith, Martin Joy, Margaret Joy, Patrick Doud, Mary Doud, Ira Hammond, Susan Hammond, John Knapp, Henry Mason, Timothy Lynch, Peter Cunningham, Edward Lanagan, John Carroll, Esther Carroll, Sarah Boyle, and the following children, viz. John Langdon, Maria Brown, Catharine Davis, Jane Davis, to May 30, 1830.

369 73

Roxbury, for support of Peter Chapman, Edward Shehane, Emanuel Swasey, Jane Landers, John Guyrn, Catharine Guyrn, Harriet Grigg, Edward Atkins, Samuel McLaughlin, Jesse Phelps, Robert Clew, Richard Wheeler, John Brown, John McLaury, wife and child, Mary Wright and two children, Thomas Fennero, and the following children, Martin Guyrn, Michael Guyrn, Mary Guyrn, Catharine Guyrn, Daniel Guyrn, Eliza Ann Grigg, Joseph U. Grigg; supplies for Margaret Carlton, Mrs. Dolan and children, Mrs. Kelly and children, Mrs. Read, also support of Ann Gordan, John Townshend, John Pine, and funeral expenses of Miss Clark, and Mrs. Burns, to June 3, 1830.

316 89

Rochester, for support of Edward B. Sanford, Rhoda Sanford, Charles Sanford, Amos Sanford, Edward Sanford, Jr., and David Sanford, to June 4, 1830.

83 60

Shutesbury, for support of Peter Jackson and

PAUPER ACCOUNTS.

415

wife, Sarah Finnemore, and her five children, John Vamouler, and Susanna his wife, to June 1, 1830.	181 60
Sandisfield, for support of Richard Dickson, and his wife Phillis, and Benjamin Whitney, to May 22, 1830.	48 30
Shelburn, for support of Mary Bates, and Elizabeth Bates, a child, to May 21, 1830.	98 00
South Hadley, for support of Truman Hall Sweatland, and Jane Sweatland, children of Asa Sweatland, and Dexter Aldridge, to March 30, 1830.	14 46
Southampton, for support of John Cochran, and Robert Livingston, a child, Maria and Eliza, children of William McDermont, to May 21, 1830.	48 00
Saugus for support of Joseph White, and Sarah Answorth, to March 5, 1830.	17 10
Sheffield, for support of Charlotte Turner, Phebe Dumont, a child, Margaret Dumont, do. Dennis and Caroline Kelly, Jacob Mc Comb, children, funeral expenses of Piper, and Silvia Holmes, to June 1, 1830.	67 87
Salem, for support of sundry paupers, to June 1, 1830.	1162 50
Topsfield, for support of Phillis Emerson, to May 27, 1830.	46 80
Tyringham, for support of Richard Gardner, Asa Thompson, Mary Dishkill, Pamela Filley, Alvira Wadkins, Theodore Murphet till his death, Temperance Sears, Peggy Whitford, and her children, viz. Lunda Whitford, John Whitford, Mary Whitford, Caroline Whitford, to May 25, 1830.	217 29
West Newbury, for support of wife of Richard Renton, and the following children of said Renton, viz. Susan Ann, George Keely, William, Alfred, Rebecca Duncan, Sarah Hopkinson, to June 1, 1830.	73 33

West Springfield, for support of Hannah Shev- voy, Louis Shevoy, Laura Chapin, Joseph C. Clark, and Rodney and John Benedict, children, to June 1, 1830.	136 85
Westhampton, for support of Jane Gay, Silvia Miller, Mary Ann Sherman, a coloured child, Filia Sherman, do. to May 21, 1830.	56 00
West Stockbridge, for support of Lucy Lane, James C. Briggs, Ransom H. Briggs, Sally Barton, Ebenezer Wood, Mary Snow, and Henry W. Rogers, a child, to May 21, 1830.	118 00
Ward, for support of Sarah Wiser, to May 8, 1830.	46 80
Worthington, for support of Mary Culver, to May 18, 1830.	46 80
Williamstown, for support of Asahel Foot, wife 'and five children, Rachel Galusha, John G. Henderson, and Charles Wilkins, to May 22, 1830.	133 70
Western, for support of Daniel Mundel, and Jos. R. Trim, a child, to May 24, 1830.	28 35
Westport, for support of Nathaniel Nottage, and Stephen Faber, to May 20, 1830.	105 04
Warwick, for support of Samuel Gunn, and Molly Gunn, and Charles Gunn, son of the Gunns, to May 28, 1830.	46 00
Washington, for support of John Thompson, to May 21, 1830.	18 00
Williamsburgh, for support of James Turner, and Mary his daughter, to May 26, 1830.	21 21
Yarmouth, for support of Thomas Peters, and Black Let, to May 27, 1830.	46 80
Total Pauper Account	<hr/> 23,637 12

## MILITARY ACCOUNTS.

417

## MILITARY ACCOUNTS.

JUNE SESSION, 1830.

### *Aid-de-Camp.*

Aaron Brooks, Jr., to March 20, 1830.	5 55
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### *Adjutants.*

Sumner Crosby, Dec. 31, 1829.	25 00
John Towne, May 21, 1830.	25 00
Joseph Merriam, Jr., Dec. 31, 1829.	25 00
Joseph Knox, March 1, 1829.	17 64
Leander Lovell, Dec. 31, 1829.	25 00
Thomas G. Gage, Dec. 31, 1829.	25 00
Theodore Kern, Dec. 31, 1829.	25 00
	<hr/>
	\$167 64

### *Hauling Artillery.*

David Moore, 1830.	10 00
Orland Chapin, 1830.	8 00
Nathaniel Shaw, 1830.	10 00
David Bradford, 1830.	9 17
	<hr/>
	\$37 17

## COURTS MARTIAL.

Court Martial held at Boxford, 29th March, 1830.

<i>President,</i>	Col. Daniel Moulton,	23 00
<i>Members,</i>	Maj. John Kimball,	13 20
	Maj. Samuel M. Noyes,	16 50
	Capt. Samuel W. Stickney,	13 60
	Capt. Jos. Lovering,	17 00
<i>Judge Advocate,</i>	Maj. William S. Allen,	29 00
<i>Marshall,</i>	Qr. M. Jos. Adams,	18 00
<i>Witnesses,</i>	Daniel Wood,	4 44
	Henry C. Sullivan,	2 62



	Benj. Peabody,	2 62
	Noyes Pearson,	2 62
	Stephen Peabody,	1 56
	Charles Peabody,	1 00
	Jona. J. Porter,	0 98
	William Tyler,	0 82
<i>Serving Subpoenas, &amp;c</i>	Gilman White,	4 50
	Moody Bridges,	1 00
	Samuel Morse,	0 60
<i>Stationary, &amp;c.</i>	William S. Allen,	1 53
		<hr/>
		\$154 59

Court Martial held at Westborough, Feb. 23, 1830.

<i>President,</i>	Col. Samuel Learned,	12 00
<i>Members,</i>	Col. Nathan Cleveland,	9 60
	Lt. Col. Alva Drury,	7 50
	Lt. Col. Elias Kingsley,	9 50
	Col. Richard Davis,	4 50
<i>Judge Adv. pro tem,</i>	Aaron Brooks, Jr.,	16 20
<i>Marshal,</i>	Ensign William E. Davis,	6 30
<i>Sergeant,</i>	Lyman S. Mason,	5 10
<i>Witnesses,</i>	Hanson Rice,	1 90
	Leander Fales,	1 56
	Charles Bingham,	1 22
	Samuel Harrington,	1 06
<i>Sub. for Witnesses,</i>	Aaron Brooks, Jr.,	0 10
		<hr/>
		\$76 54

Court Martial held at Dedham and Boston, March 25, 1830.

<i>President,</i>	Col. William H. Spooner,	41 00
<i>Members,</i>	Col. Amasa G. Smith,	28 00
	Lt. Col. Lucas Pond,	30 60
	Major Charles Lane,	31 60
	Major Josiah L. C. Amee,	28 00
<i>Marshal,</i>	Major F. W. Lincoln,	28 60
<i>Sergeant,</i>	Whitney,	14 50

# MILITARY ACCOUNTS.

419

<i>Judge Advocate,</i>	Major William F. Otis,	37 00
<i>Judge Adv. pro tem,</i>	Lt. Col. Josiah Quincy, Jr.	17 00
<i>Witnesses,</i>	Elijah Pond,	2 78
	Increase S. Pond,	3 10
	Timothy L. Pond,	3 10
	Wyman Adams,	2 86
	Asa C. Kingsbury,	2 70
	William Gay,	2 78
	William Blackburn,	2 30
	Warren Wild,	2 30
	Newman E. Hawes,	2 30
	Nathaniel Bird,	0 90
	David Low,	1 80
	Thomas Davis,	4 30
	Sumner Crosby,	4 30
	Thomas Manly,	3 80
	Michael Dalton,	2 30
	Nathaniel Nuttage,	2 30
	Walter Hayward,	2 30
	John A. Spear,	3 30
F. Alden's bill for use of	Hall and Fire,	10 00
Jacob Barker	do. do.	10 00

## Summoning Witnesses, Notifying Members, Serving Charges, &c.

Elisha Glover,	2 90
Nathaniel Bird,	3 10
David Low,	1 00
Jasper Eaton,	5 00

\$337 82

Court Martial held at Northbridge, March 16, 1830,  
and by adjournment at Royalston and Templeton.

<i>Président,</i>	Col. Joseph Ray,	40 80
<i>Members,</i>	Lt. Col. Asa Longley,	28 10
	Maj. Alonzo Temple,	29 00
	Capt. Allen Hancock, jr.	30 00
	Capt. Anson Rice,	28 50

<i>Marshal,</i>	Adj. Dan Hill,	29 50
<i>Ordt. Sergt.</i>	Lewis Stockwell,	22 40
<i>Judge Advo.</i>	Maj. Aaron Brooks, Jr.	50 10
<i>Witnesses,</i>	Ebenezer Cadwell,	1 14
	Royal S. Marble,	0 98
	Jona. Davis, Jr.	1 22
	John W. Slocum,	1 16
	Reuben Waters, Jr.	2 26
	Geo. A. Tourtellot,	2 18
	Geo. C. Earle,	2 22
	Hiram Wing,	1 70
	Peter Lund,	0 90
	Jona. Bowker,	0 90
	Marlin Coleman,	1 52
	Charles T. Fisher,	1 36
	Jason Lamb,	0 90
	Geo. W. Comee,	1 36
	Elijah B. Newton,	1 32
	Calvin Townsley,	1 80
	Artemas Lee,	2 30
	Joel G. Fales,	1 46
	Jona. Cutting, 3d.	1 30
	Franklin Whitcomb,	1 30
	Loring Davis,	1 96
	Noah Kendall,	2 46
	Horatio N. Bolton,	2 70
	Joseph Maynard,	2 70
	Seneca Partridge,	1 70
	Charles Coolidge,	2 20
	Ephraim Wright,	2 04
	Samuel S. Howe,	2 54
	Silas Brooks,	2 38
	Jona. Baldwin, 2d.	2 14
	Henry Newton,	2 10
	Stillman Jones,	1 30
	Moses Wood,	2 54
	Theodore C. Gray,	1 30
	Samuel H. Clark,	2 46
	John Holden,	1 64

# MILITARY ACCOUNTS.

421

	Wm. Chase, Jr.	1 12
	Cyrus Davis,	1 82
	Robert Powers, Jr.	1 96
	John Sawyer, Jr.	0 90
	George W. Sawyer,	0 74
	Silas Sawyer, Jr.,	0 74
	Jona. Holman,	0 82
	Benj. Hawkes,	1 80
	Thomas B. Hawkes,	1 30
	Elmer Newton,	3 88
	John M. Upham,	0 70
	Charles Bruce,	0 70
	Josiah Wheeler,	1 32
<i>Serving Subpoenas, &amp;c</i>	Sumner Pierce,	0 94
	Russell Wheeler,	4 52
	Eleazer B. Morgan,	3 62
	Aaron Brooks,	0 60
	George C. Richardson,	1 84

---

\$351 14

General Court Martial held at Salem, March 23, 1830. .

<i>President,</i>	Maj. Gen. Aaron Capen,	65 40
<i>Members,</i>	B. Gen. Amory Holman, 2d,	51 40
	B. Gen. John T. Winthrop,	44 00
	B. Gen. Cromwell Washburn	52 00
	Col. John S. Tyler,	44 00
<i>Judge Adv. pro tem.</i>	Major. Asahel Huntington,	80 00
<i>Marshal,</i>	Capt. Geo. Peabody,	40 00
<i>Sergeant,</i>	Charles F. Putnam,	30 00
<i>Assistant,</i>	William Safford,	21 25
<i>Witnesses,</i>	Franklin Gregory,	10 84
	Jeremiah Coleman,	2 90
	Sally Low,	2 36
	Daniel Adams, 3d.	8 30
	John O. W. Brown,	3 90
	Moses Brown, 3d.	4 70
	William Thurlow,	4 54
	William S. Allen,	7 40

## MILITARY ACCOUNTS.

	Abraham Williams,	17 70
	Benj. Stickney,	17 30
	Nathan Brown,	22 50
	Daniel Moulton,	22 02
	George Fitz,	3 90
	Jos. L. Low,	3 86
Serving Subpoenas, Notifying, &c.		
	Gilman White,	6 30
	Daniel Dutch,	6 10
	Stephen Upton, Jr.	7 10
	George Fitz,	2 75
<i>Stationary, Fuel, &amp;c.</i>	A. Huntington,	13 25

---

\$595 77

Division Court Martial held at Salem, March 23, 1830.

<i>President,</i>	Maj. Gen. Aaron Capen,	44 70
<i>Members,</i>	B. Gen. Amory Holman, 2d.	33 60
	B. Gen. John T. Winthrop,	30 00
	B. Gen. Cromwell Washburn,	8 00
	Col. John S. Tyler,	30 00
<i>Judge Adv. pro tem.</i>	Maj. Asahel Huntington,	56 00
<i>Marshal,</i>	Capt. Geo. Peabody,	28 00
<i>Sergeant,</i>	Charles F. Putnam,	21 00
<i>Assistant,</i>	William Safford,	17 50
<i>Witnesses,</i>	Maj. Gen. Franklin Gregory,	10 34
	Jeremiah Coleman,	3 90
	Daniel Adams, 3d.	4 90
	John O. W. Brown,	4 40
	Moses Brown, 3d.	10 60
	William Thurlow,	6 54
	James Appleton,	0 90
	Nathan Brown,	3 40
	Benj. Stickney,	3 82
	Daniel Moulton,	8 46
	Moses P. Parish,	4 40
	Solomon Low,	7 20
	Abraham Williams,	4 40
	John B. Savary,	3 78

RESOLVE.		423
	Nathan Heard,	7 20
	William H. Sumner,	9 70
<i>Serving Subpoenas, &amp;c</i>	Gilman White,	2 00
	Stephen Upton,	4 25
	Nathan Brown,	6 55
	Stephen Upton,	1 10
<i>Stationary, &amp;c.</i>	Asahel Huntington,	5 50
		<hr/>
		\$382 14

### AGGREGATE OF ROLL, NO. 103.

Pauper Accounts, \$23,637 12

#### *Military Accounts.*

Aids de Camp,	5 55
Adjutants,	167 64
Hauling Artillery,	37 17
Courts Martial,	1,898 00
	<hr/>
	\$25,745 48

*Resolved,* That there be allowed and paid, out of the Public Treasury, to the several Persons and Corporations mentioned in this Roll, the sums set against their names respectively, amounting in the whole to twenty five thousand, seven hundred and forty-five dollars, and forty-eight cents, the same being in full discharge of all the accounts and demands to which they refer.

*In Senate, June 4, 1830.*—Read twice and passed,  
Sent down for concurrence,

SAMUEL LATHROP, *President.*

*In House of Representatives, June 5, 1830.—Read twice, and passed in concurrence*

W. B. CALHOUN, *Speaker*.

*June 5, 1830.*

Approved,

LEVI LINCOLN.

## **Commonwealth of Massachusetts.**

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**TREASURY OFFICE, JUNE 4th, 1830.**

**THE** Treasurer having examined and adjusted the accounts presented to him, asks leave to **REPORT**, That there is due to the several persons enumerated on the following Roll, the sums set against their names respectively, which, when allowed and paid, will be in full discharge of said accounts to the dates therein mentioned.

Which is respectfully submitted,

**JOSEPH SEWALL, Treasurer.**

*To the Honorable Senate*

*and House of Representatives.*



*ROLL of ACCOUNTS Audited by the Treasurer of  
the Commonwealth, and reported June 4th, 1830.*

PRINTERS.

Adams & Hudson, papers supplied to June 5, 1830, and advertising,	\$75 73
Ballard & Co., papers supplied to March 13, 1830, and advertising,	82 39
Bowles, Samuel, publishing Laws for the year ending March 1830,	16 67
Badger & Porter, papers supplied to June 5th 1830, and advertising,	117 00
Bannister, Ridley, publishing Laws for the year ending January 1830, and advertising,	25 00
Bazin, George W., papers supplied to June 5, 1830, and advertising,	17 23
Buckingham, Joseph T., papers supplied and advertising to June 5th, 1830,	104 03
Beals & Homer, papers supplied and advertis- ing to June 5, 1830,	116 63
Colton, S. W. & Co. publishing Laws for the political years 1828 and 1829, and advertis- ing,	41 66
Clapp, William W., papers supplied to June 5, 1830,	26 16
Collier, William, papers supplied to June 5, 1830, and advertising,	38 06
Dutton & Wentworth,	
Printing for the Senate,	\$86 88
" " " House of Rep.	326 79
" " " Treasury,	63 18
" " " Secretary,	705 30
" " " Adj. General,	157 47
	<hr/> 1,339 62

**SHERIFFS' ACCOUNTS.**

427

Denny, Austin, publishing Laws to May 31, 1830, and advertising,	25 46
Earle, Benjamin, advertising the proposed Amendments of the Constitution,	10 00
Griffin, George, papers supplied to March 13, 1830, and advertising,	34 35
Howe, J. F. & Co. papers supplied to March 13, 1830, and advertising,	34 00
Hill, Frederick, papers supplied to June 3, 1830,	7 96
Kingman, E. papers supplied to June 5, 1830, and advertising,	65 63
Lindsey, B. & Son, publishing the Laws for the year ending May, 1830,	16 67
Pickering, H. J. papers supplied to June 3d, 1830,	18 80
Reed, David, papers supplied to June 5, 1830, and advertising,	24 51
Stockton & Greene, papers supplied to June 3, 1830,	14 08
Tannatt, A. G. publishing Laws two years, to May 1, 1830,	33 34
Willis & Rand, papers supplied and advertising, to June 2, 1830,	23 90
	<hr/>
	\$2,308 88

---

**SHERIFFS.**

Brown, Henry C. returning votes to May, 1830,	81 20
Hoyt, Epaphras, returning votes to May, 1830,	8 00
Leonard, Horatio, returning votes to May, 1830,	3 20
Pease, Isaiah D. returning votes to May, 1830,	8 00
	<hr/>
	\$100 40

## CORONERS.

Pease, Peter, fees of Inquisition to May, 1830,	11 40
Snow, Prince, Jr. fees of Inquisition to May, 1830,	34 60
	<hr/>
	\$46 00

## MISCELLANIES.

Burditt, James W.	
Stationary supplied the Legislature,	95 76
“ “ “ Secretary,	74 15
“ “ “ Adj. General,	16 16
“ “ “ Library,	42 25
	<hr/>
	228 32
Blaney, Henry, repairs in the State House to June 3, 1830,	28 11
Bradlee, Samuel & Son, Hard Ware, &c. for the State House repairs, to June 3, 1830,	23 51
Bacon, Henry, assistant messenger, services to June 5, 1830,	28 00
Chase, Warren, assistant messenger, services to June 5, 1830,	28 00
Cutting, Elijah W. assistant messenger, services to June 5, 1830,	24 00
and for the services of his son as page to the Honorable Senate to June 5, 1830,	10 00
	<hr/>
	34 00
Goodrich, Isaac W. Stationary for Secretary, to June, 1830,	27 00
Gore & Baker, painting, &c. in the State House, to March, 1830,	44 11
Kuhn, Jacob, balance of his account to June 4, 1830,	31 94
Kuhn, Jacob, Jr. assistant messenger, services to June 5, 1830,	24 00

## MISCELLANIES.

429

Loring, Josiah, Stationary for the Secretary and Treasurer, to June, 1830,	66 95
McArdle, Henry F. quills supplied the Treasury Office,	6 00
Pitts, Sarah, for the services of her son as page to the Hon. House, to June 5, 1830,	10 00
Wheeler, John H. repairs on the State House dome, &c. to June, 1830,	715 73
	<hr/>
	1,295 67

---

## AGGREGATE.

Printers,	2,308 88	
Sheriffs,	100 40	
Coroners,	46 00	
Miscellanies,	1295 67	
	<hr/>	
	3,750. 95 —	3,750 95
		<hr/>
	Total.	\$3,750 95

---

## Commonwealth of Massachusetts.

In the year of our Lord, one thousand, eight hundred, and thirty.

---

*Resolved*, That there be allowed, and paid, out of the Public Treasury, to the several persons mentioned in the foregoing Roll, the sums set against such persons names respectively, amounting in the whole to the sum of three thousand, seven hundred, and fifty dollars, and

ninety-five cents: the same being in full discharge of the accounts and demands to which they refer.

*In Senate, June 4, 1830.*—Read twice and passed,  
Sent down for concurrence.

SAMUEL LATHROP, *President.*

*In House of Representatives, June 5, 1830.*—Read twice, and passed in concurrence.

W. B. CALHOUN, *Speaker.*

*June 5, 1830.*

Approved,

LEVI LINCOLN.

## **Commonwealth of Massachusetts.**

---

SECRETARY'S OFFICE, JULY 12, 1830.

I HEREBY CERTIFY, that I have compared the impression of the Resolves contained in this Pamphlet, with the original Resolves passed in June last, and find the same to be correctly printed.

EDWARD D. BANGS,

*Secretary of the Commonwealth.*



**INDEX**

**TO THE RESOLVES**

**OF THE SESSION IN MAY AND JUNE, 1830.**

---

**A.**

Accounts, Roll of, No. 103. . . . .	408
“ additional Roll of, audited by Treasurer, . . . .	426
Agent to attend to adjustment of Massachusetts Claim, provision for appointment of, . . . . .	401

**B.**

Banks, condition of, to be enquired into, by Commissioners, . .	406
---	-----

**C.**

Clerks of Senate, pay of, provided for, . . . . .	402
Clerk of House of Representatives, pay of, provided for, . .	402
Commissioners for hearing trustees and tenants respecting Hopkins Fund, paid for services, . . . . .	405



Commissioners to be appointed, to enquire into condition of Banks, . . . . .	406
---	-----

## F.

Felt, Joseph B. authorized to use certain copies in the library of General Court, . . . . .	400
Fuel, &c. for use of Government, appropriation for, . . . .	405

## G.

General Court, pay of members of, provided for, . . . . .	398
Governor authorized to appoint agents to attend to the adjust- ment of the Massachusetts Claim, . . . . .	401
“ authorized to cause part of the State House to be painted, &c. . . . .	403
“ authorized to appoint person to make a geological sur- vey of the Commonwealth, . . . . .	404
“ authorized to appoint Commissioners to enquire into condition of banks, . . . . .	406
Governor's Speech, . . . . .	376
“ Message, transmitting documents referred to in Speech, . . .	392
“ Message, transmitting Report of Inspectors of State Prison, . . . . .	392
“ Message, relating to terms of S. J. Court in Bristol and Essex, . . . . .	393
“ Message, informing of the resignation of Maj. Gen. F. Gregory, . . . . .	394
“ Message, relating to the Massachusetts Claim, . . . . .	394

## H.

Hopkins Charity Fund, Commissioners paid for certain enqui- ries respecting, . . . . .	405
---	-----

## J.

Journal of the Senate, provision for compensation for services in making index of, repealed, . . . . .	400
---	-----

## K.

Kuhn, Jacob, Messenger to General Court, pay of, provided for, .	403
--	-----

## INDEX.

iii

### L.

Low, John V. assistant messenger to Governor and Council, pay of, provided for, . . . . .	401
---	-----

### M.

Massachusetts Claim, further provisions respecting adjustment of, . . . . .	401
Members of Council, Senate and House, pay of, provided for, . . . . .	398
Message of Governor, transmitting documents referred to in Speech, . . . . .	392
“ of Governor, transmitting Report of Inspectors of State Prison, . . . . .	392
“ of Governor, relating to terms of S. J. Court in Bristol and Essex, . . . . .	393
“ of Governor, informing of resignation of Maj. Gen. F. Gregory, . . . . .	394
“ of Governor, relating to the Massachusetts Claim, . . . . .	394
Messenger of General Court, allowance to, to purchase fuel, &c. for Government, . . . . .	405

### R.

Roll of Accounts, No, 103, . . . . .	408
“ “ “ additional, audited by Treasurer, . . . . .	426

### S.

Speech of the Governor, . . . . .	376
State House, provision for painting and repairing certain parts of, . . . . .	403
Survey of the Commonwealth, further provisions respecting, . . . . .	404

### T.

Treasurer, authorized to borrow money, . . . . .	399
“ Report of, on Roll of miscellaneous accounts, . . . . .	425
Trull, Ezra, guardian, authorized to convey estate of a certain minor, . . . . .	396
Tyler, John S. guardian, authorized to convey estate of certain minors, . . . . .	397



# RESOLVES

OF

## THE GENERAL COURT

OF THE

### Commonwealth of Massachusetts,

PASSED AT THEIR SESSION,

WHICH COMMENCED ON WEDNESDAY, THE FIFTH OF JANUARY, AND ENDED ON  
SATURDAY, THE NINETEENTH OF MARCH, ONE THOUSAND,  
EIGHT HUNDRED AND THIRTY ONE.

*Published agreeably to a Resolve of the 16th January, 1812.*



**Boston :**

DUTTON AND WENTWORTH, PRINTERS TO THE STATE.

1831.

*For Sale of the Secretary of State.*  
*Nov 21st 6. 1844.*

**RESOLVES**  
**OF**  
**THE GENERAL COURT,**  
**OF THE**  
**COMMONWEALTH OF MASSACHUSETTS,**

**PASSED AT THEIR SESSION,**  
**WHICH COMMENCED ON WEDNESDAY, THE FIFTH OF JANUARY, AND ENDED ON SAT-**  
**URDAY, THE NINETEENTH OF MARCH, ONE THOUSAND,**  
**EIGHT HUNDRED AND THIRTY-ONE.**

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**GOVERNOR'S MESSAGE.**

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*His Excellency the Governor sent down from the Council Chamber, by the Secretary of the Commonwealth, to the Senate and House of Representatives, the following*

**MESSAGE.**

*Gentlemen of the Senate, and  
of the House of Representatives :*

HAVING availed myself of your indulgence, at the commencement of the political year, to offer my sentiments upon the general subjects of concern in the administration of the Government of the State, and respectfully invited your attention to such prominent objects of regard, as my official situation required me, at that time, more particularly to notice, it will be the most appropriate discharge of duty, that I should confine the present Address to a

communication of subsequent measures of Executive action, and to such topics as have since occurred to demand Legislative consideration. In doing this, however, so much of reference to what was before proposed may be proper, as shall connect the unfinished business of the last, with the remaining duties of the present Session.

It may justly be premised, that this meeting of the Government is one of unusual expectation and interest. Matters of more than ordinary import, and of lasting results, have been specially assigned for discussion. Let it be cause for mutual congratulation, and for deep and devout acknowledgment, that the times are most favorable to their satisfactory disposition. We have come together in a season of great prosperity, under circumstances of concord and much apparent harmony of sentiment among our Constituents, and with opportunity for the exercise of unbiased and dispassionate judgments upon the leading measures which the public good requires. The embarrassment and depression of business, and the discouragement to industry and enterprise, which marked the opening of the last year, were, in its progress, in a great degree, overcome, and we now greet the commencement of a new period, bearing the full promise of the continuance of present blessings, and giving animating inducements to improvement, and an extension of the means of higher and better attainments.

The proposed amendments to the Constitution, which respect the season for the annual organization of the Government, and the ratio of representation in the Popular Branch ;—the mode to be prescribed for taking the valuation of the rateable property within the Commonwealth, affecting the proportionate contributions to the public taxes, and, by a rule of the Constitution, a corresponding

apportionment of the delegation to the Senate ;—and the question of renewal to the numerous Banking Corporations of their legal capacities, connected as the operations of these institutions are with all the business concerns of the community, are subjects of reference from a former Session, which have claims to the highest consideration. There is enough, in either of them, in whatever manner it shall be disposed of, to stamp with memorable impression the deliberations of the present Legislature. It will be happy, indeed, if in their delay hitherto, that knowledge of public sentiment upon these measures of direct popular bearing has now been obtained, which will secure to your decisions upon them the sanction of an ultimate approval by the People.

In revising a fundamental Law of the Government, it is always to be expected, that reverence for accustomed forms, and a spirit of acquiescence in long established arrangements, will withstand any attempt at alteration. These are conservative principles, without the influence of which, change would be wrought upon the slightest occasions. But when great and enduring objects of amelioration and improvement are to be effected, patriotism and true political sagacity will dictate a surrender of respect for usages, however sanctioned by authority or made familiar by time, in subserviency to the advancement of the public welfare.

It is undeniably true, that the pending amendments to the Constitution will, if adopted, produce a saving of expense to the State, and create, in the business of Legislation, greater certainty and despatch, attended with higher and more direct responsibilities.

As it regards the proposed change in the commencement of the political year, it may be permitted to me to bear



witness, that since my present relation to the Government, and indeed since the Convention of 1820, not an occasion has arisen, which would have rendered necessary a second meeting of the Legislature, in any year, had the appointed season for its organization been that usually assigned for the transaction of business. On recurring to the Journals, for the same period, it will be found, that scarcely a measure of general interest has been offered for consideration at the first Session, but was postponed to the Winter, with but little, if any, real progress towards maturity from its previous suggestion. Your own prorogation, the present year, warrants the remark, that the convenient time for legislation is not that fixed by the Constitution for the assembling of the Government, while the approbation by the people of your prompt adjournment, may be regarded as a manifestation, by them, of an opinion favourable to the contemplated alteration. With just allowances for the additional length of a single Session, by bringing together the organization of the Government, and the whole legislative business of the year, there would still result the saving of many days in the aggregate of time, besides the occasion and heavy charge of a second travel. Should the other proposed amendment likewise succeed, or by any more satisfactory mode, the representation should hereafter be reduced from its present oppressive and almost illimitable extent, the annual draft upon the Treasury would be diminished, by a sum nearly equal in the saving to the support of the Civil List. There would then also be more uniformity in the number and attendance of the Representatives, and greater congruity in acts of Legislation. The policy of State would not be made to fluctuate between the indifference of thin Houses, in seasons of public quiet, and appeals to crowded

benches, under the influence of local circumstances, or in times of high popular excitement. How far these considerations should prevail over an indisposition to depart from ancient habits and associations, and the reasons for their continuance, is now brought to your decision.

In addition to the Constitutional requirement to a periodical valuation of the property of the Commonwealth, there will be found inducements, at this time, to hasten the service, in the changes which have taken place within the few last years, in the relative value of the different descriptions of property, and the proportionate amounts in which it is held in different Districts of the State. The apportionment of Taxes, regulated by the possession of property, will fail to be equal, when the assessment is made long after the estimate. With an enterprising people, new interests are continually springing up, old branches of business are discontinued and other occupations commenced, and the condition of Individuals and Communities will be variously affected, improved or prejudiced, by the events which time rapidly and constantly produces. These changes have had unusual frequency and effect since the last valuation, and have become the occasion of expressions of disquietude and dissatisfaction with the necessary exactions for the public service. To restore the true measure of contribution, in this particular, is a dictate of the highest justice, and the importance of a prompt attention to the execution of the delicate and difficult task is now enforced by the urgency of a prescribed duty.

Pursuant to a Resolve of the seventh of June last, Commissioners were appointed to enquire into the condition of the Banks of the Commonwealth. A careful construction of the terms of the Resolve seemed to require, that

distinct Commissions should be constituted for each of the Counties in which banks were situated. Considering it to be the purpose of the Legislature to ascertain the security to the public, *in a renewal of the Charters*, it was deemed proper to cause the examinations of the several institutions to be made, as recently before the commencement of the present Session, and as nearly simultaneous as possible. The appointment of the Commissioners was therefore delayed to such time, as while it allowed sufficient opportunity for the performance of the service, effected these objects. Reports may be expected from each of the Commissions by the expiration of the time limited in the Resolve. In connexion with the information, which is thus furnished, the Legislature will have official Returns, under oath, from the Cashiers of the respective Banks, made in compliance with a recent requisition of the Executive, under the authority of an act passed on the 28th of February 1829. These latter Exhibits have relation to the state of the Banks on the first Saturday in June last. In fixing upon this period, it was designed to obtain an account of their condition antecedent to any manifestation of an intention by the Legislature to cause an examination into their concerns, and which, by applying to an earlier and somewhat distant date, would afford means of judging, from a comparison of their situation, at different times, of their general management and solidity.

It will probably result from these documents, that the credit of the existing Institutions is well sustained; and that the community are, at present, safe in their continuance.

The question of establishing Banking Corporations in this Commonwealth can hardly be considered, at the pre-

sent day, as open to discussion. They have been made so long familiar to the wants, and conveniences, and uses of the citizens, that most of the business of society is now arranged with reference to the accommodations which they afford. It would doubtless have been better, that the system had been more cautiously introduced, and less liberally extended. Banks have been multiplied, here and elsewhere, greatly beyond the occasions of the Country. The injurious effects have been seen, in excessive issues of paper and in vexatious and profitless competitions to give to it circulation; in rash enterprises of individuals induced by the facilities to credit, in unwarrantable expenses in living, in the embarrassments of debt, and in the sacrifice of estate, not unfrequently attended with the loss of character. I would respectfully submit to the wisdom of your counsels, that, in no instance, should a Charter be granted or extended, except where it is satisfactorily shown, that there is both capital for investment, and business to require the use of it. In the want, either of the one or the other, banking can never be restrained to its legitimate purposes. Speculation, trading, bargain making, and stock jobbing, will take the place of discounting. Desperate hazards and uncertain gains will be the consequence, and, in the issue, individuals will be ruined and the public defrauded. But, with this precaution in respect to grants of incorporation, and the guards and securities which experience has interposed, there will be little danger of a repetition of those great abuses which mismanagement has, in some instances, heretofore, committed. By retaining in the Government the right to require, at pleasure, returns of the state of the Institutions, with the power of visitation and inquiry by Committees, and a control over the Charters upon

any excess of authority, the means of correction may be applied, upon the first appearance of mischief. A sound currency will be preserved ; and although, from accident, misfortune, or indiscretion, Stockholders may be liable occasionally to suffer, the security of the public will at all times be insured.

The proposition of a State Bank, with Branches, to be owned and managed by the Commonwealth, which has sometimes been suggested, appears to me to be recommended by few considerations of preference over the present arrangements, while it is exposed to obvious and weighty objections. It is even doubtful whether such an institution could be conducted with pecuniary profit. The private interest of Stockholders is a stronger incentive to vigilance, than mere ministerial accountability. The ingenuity which searches out the sources of business, and acquires a knowledge of the circumstances of individuals—things essential to success in the operations of Banking—is rarely exercised but for personal advantage. Besides, the government, under the present system, may, at its option, have a participation in the stock of any or all the existing corporations, and a corresponding agency in their management. By the tax now imposed, by the right to borrow at a low rate of interest, by the power to subscribe to the capital, and to appoint a proportionate number of Directors, and, above all, by the authority to prescribe, in the first instance, the fundamental rules for the conduct of the institutions, and to declare the forfeiture upon the violation of them, all the beneficial results of a State establishment are enjoyed, while its inconveniences, improper tendencies, hazards, and disappointments, are avoided. It should also be of no light consideration in a Republic, that liberty is most secure, and

the people least exposed to corruption or oppression, where the administration of the civil authority is farthest removed from the influence of monied institutions.

After the passage of the law of Congress, at the last session, making provision for the settlement of the claim of Massachusetts upon the United States, for the services of her Militia, and for measures of defence, during the late war, it might confidently have been expected that little further delay would be suffered in obtaining a final liquidation of the accounts, and payment of the debt, at least to the extent of the appropriation. The act, indeed, *in terms*, referred the claim, for examination and adjustment, upon certain principles of discrimination in regard to the character of the service, to the proper accounting officers of the Treasury, under instructions from the Secretary of War. But, as the accounts had already been before the department, where they had received a minute and critical investigation, it was supposed that the application of the provisions of the law to the results of the previous auditings would, *at once*, be conclusive of the favorable disposition of the greater part of the demand. By rules much more rigorous, a sum exceeding *four hundred and thirty thousand dollars* had been found admissible against the United States; and it needed but a reference to the public documents, to be convinced that no part of this amount could now be excluded. The political objections which had heretofore been interposed to the settlement of the claim were waived by the passing of the act, and the services were manifestly of a description to be brought within the scope of its remedial provisions. By the first article, under which the right to compensation was mainly to be insisted on, it was required only, that it should be made to appear that the

Militia were called out to repel invasion, or under a well founded apprehension of invasion, and that their numbers were not in undue proportion to the exigency," and the accounts were to be settled upon the same principles of allowance which had been adopted in the settlement of the claims of other States, in similar cases. In the proceedings of the former auditing, the whole claim had been reduced to the strictest classification under heads of discrimination plainly to be understood. A separation had been made of the different parts of the account. A portion, consisting of unobjectionable and admitted charges, became a certain and ascertained debt; the doubtful, or unsatisfactory items, requiring explanation or further proof to their allowance, constituted a suspended balance; and it seemed but necessary to present the existing state of the accounts to the view of the Secretary, under the reference made to him by the law, to obtain his directions to the immediate payment of the liquidated part, and instructions to the accounting officers for the revision and examination of the remainder.

No time was lost in attempting to engage the earliest attention of the Secretary to the subject. As early as the 9th of June, (the act having passed on the 31st of May,) I addressed to him a letter, referring to the law, and requesting to be informed how soon the business might receive his directions. The delay which had already taken place, of more than *fifteen years* from the dates of the disbursements, and the earnest desire of the State for immediate payment, were pressed upon his consideration. He was reminded of the circumstance of the former auditing of the accounts, and of the facility which this might now afford to their ready adjustment, and he was respectfully solicited to adopt the report of the Au-

ditor in favor of the allowance to the extent to which the charges were found admissible, upon the principles on which that auditing had been conducted, and to cause the residue, under the more liberal provisions of the law, to be made the subject of further inquiry. Before this letter reached Washington, the Secretary had left the seat of government. Its receipt, however, at the department, was subsequently acknowledged by the acting Secretary, under date of the 15th of June, with information that "it would be laid before the Secretary immediately upon his return, until which time nothing could be done in regard to it." That there might be no want of preparation to prosecute the business whenever opportunity should be permitted, a gentleman of high distinction, who, as a member of the Delegation in Congress, had made himself familiar with the merits of the claim, and ably and successfully vindicated its justice, was appointed an Agent of the State, pursuant to the resolve of the Legislature of the 5th of June last. Notice of this appointment, under date of the 29th of June, was forwarded to the Secretary, in Tennessee, with a request, that, if his return was to be delayed, he would give instructions to the proper officer to proceed, during his absence, in the examination of the accounts, so far as the revision of them might be found necessary. It was not until the first of September, that a communication was received from him, of the date of the 18th of August, at Franklin, in Tennessee, by which I was informed, that "no rule or regulation had been made on the subject previous to his leaving Washington, but on his return the next month, it should be among the first subjects to engage his attention, and that he had written to the 3d Auditor to have the account prepared and in readiness, under the general



heads directed by Congress, that, on his return, it might be acted upon." The agent, who, in the mean time, had also addressed the department to procure an attention to the subject, now applied to the Auditor for information of the course which was to be given to the inquiry, with a proffer of any services which his agency for the State might render useful. He was immediately answered, that "a reply would have to be deferred until the return of the Secretary."

On the last day of October, the Secretary reached Washington, where the Agent, by a few days had anticipated his arrival. The proposition was now distinctly renewed, personally, and in writing, by the Agent, that the ascertained sum of the admissible charges upon the former auditing should be paid on that part of the account, and a revision of the residue be proceeded in, or that the advancement of that amount should be made generally, and the examination of the whole claim immediately entered upon. After an interchange of several communications, and a delay, from the 1st to the 13th of November, the Agent was informed, that the various engagements of the Secretary, under the ordinary details merely of the office, and the business preparatory to the meeting of Congress, "made it impracticable to examine, at once, into the claims of Massachusetts and North Carolina, both of which were before him." Upon receiving this information, and being satisfied that a further continuance at the seat of government, at that time, would be of no avail to the interests of the State, the Agent returned to Massachusetts.

This particular but naked recital of facts and dates, without comment, I have felt constrained to make, in acquittal of my own responsibility, and to afford the infor-

mation due to the Legislature and the people of the State, on a subject of deep and exciting public interest and solicitude.

The whole correspondence with the department, and a report, made to me by the Agent, will be laid before you. I trust it will thus be made sufficiently to appear, that neither in season nor in endeavor has any thing been omitted, on behalf of the State, to bring this long vexed matter to a satisfactory issue. We have now the assurance of the Secretary, that "speedily as possible, the claim will be attended to." The Agent will be present to represent the interests of the State, to exhibit the proofs, and offer the explanations and arguments which may be required, or to suggest any further measures of attention which may be made necessary here.

During the recess of the Legislature, measures have been taken to execute the provisions of the Resolve for the erection of a Lunatic Hospital. Upon the advice of the Executive Council, after diligent inquiry and a faithful comparison of various proposed situations, and with heed to the injunction which required, "that in selecting an eligible site for the Hospital, regard should be had to the centre of population, and to the cheapness of labor and materials for the construction of the building," the location of the Institution was fixed in the town of Worcester. A plot of twelve acres of Land, purchased at the cost, to that Corporation, of *twenty-five hundred dollars*, of a singularly regular and beautiful elevation, commanding a view of the town and the rich scenery of the surrounding country, sufficiently near to the market and principal places of business for necessary accommodation, and yet so retired as to be secure from improper intrusion or disturbance, and within a short distance of the head

waters of the Blackstone Canal, has been conveyed in fee to the Commonwealth, without other consideration than the interest taken in the locality of the Institution ; and the registered deed thereof, approved and accepted by the Executive, is deposited in the Archives of State.

Commissioners were appointed to cause the erection of the Hospital, pursuant to the further directions in the Resolve, and the work has been commenced and prosecuted as far as the season and other circumstances would permit.

It is with great satisfaction that I feel authorized to add, that the preference which was given to the selected site is fully justified by the more recent observations and practical experience of the Commissioners. It has been found, that the natural formation of the ground was peculiarly adapted to the application of an approved plan for the Building, and that labor and most of the materials are to be obtained at rates lower than the estimates. The character of the Commissioners, for intelligence, energy, and discretion, and the deep interest which they have taken in accomplishing the humane and philanthropic purposes of the Government, afford the best assurance, that the Structure, with its appurtenant accommodations, will be prepared for occupation, with as much economy and dispatch, as the nature and magnitude of the undertaking will admit.

The authority given to the Executive to cause a Map of the State to be made from actual surveys, on Trigonometrical principles, and by Astronomical observations, is in a course of execution. An assistant Civil Engineer, of high qualifications, and much experience, has been associated with the Principal Surveyor in the labor of admeasuring the Lines and projecting a Plan of the Territory.

Some delay in commencing the work was unavoidable, from the want of suitable Instruments for its accurate and satisfactory accomplishment. Such as were not otherwise to be obtained in the country, have been procured on loan from the Engineer Department, under directions from the President of the United States, who justly regarded the service, which, in the manner proposed for its performance, would necessarily present a Chart of our extensive Sea Coast, and ascertain the proper positions for signals, and stations for telegraphic communication, in the event of foreign war, as a thing of national interest. Since the instruments were received, the Engineer has been diligently employed in fixing a base line, in the neighborhood of the Connecticut River, of sufficient extent for the process of Triangulation. A line of verification is yet to be found in the Southern section of the Commonwealth. With the opportunity of preparation, during the winter, the surveys may be resumed early, and prosecuted, uninterruptedly, another season.

The pains proposed to be bestowed upon this work, to make it thoroughly correct and worthy the authority of the State, although occasioning some delay in the time of its execution, and necessarily attended with considerable expense, will, I trust, meet, with your approbation. A good Map of the Commonwealth has long been an object of very general and earnest desire. The attention recently given to the subject of internal improvement, has more clearly evinced the want, and increased the need of such a Directory. All classes of People have an interest in its possession and use. Not only is it of convenience in the conduct of many of the most common concerns of Individuals, but the Legislator and the Magistrate find occasion for the aid it affords in the discharge of public

trusts. Not a Town or Parish is created or altered in its limits, nor a Road established or discontinued, but upon recourse to the Map for the bearings of these measures upon existing divisions of Territory. When it is considered, how constantly and universally the Map is consulted, and how extensively it is made to affect the affairs of the community, the importance of its accuracy will not be too highly estimated. Reference to lines and monuments and the natural boundaries of country are but misdirections, when these are incorrectly delineated. They mislead in the commencement of undertakings, and occasion mistakes in their progress, and disappointment and loss in the issue of them.

Greater progress has been made in the Geological explorations of the State. The distinguished Professor, who is charged with this service, has successfully devoted to it the most favorable season of the past year. With a single Attendant, and at little expense, he has examined the Geological structure of the Southern and South Eastern Sections of the Commonwealth, as far North as a line in a direction from the mouth of Miller's River to Salem, including the principal Islands on the Sea Coast, and having, at a former period, acquired a general knowledge of the Geology of the country West of the Connecticut River, there remains only, for his labors abroad, a partial re-examination on that side, together with a survey of the portion East of that River and North of the line aforementioned. In a recent communication, he informs me, that "three quarters of the State have now been explored, geologically, and that he may probably finish his examination in another season."

Directions were given, that, in connexion with the survey, specimens of all minerals, and varieties of rocks of

rare formation, or of adaptation to ornamental or useful purposes, should be preserved in sets, for the Government, and for the Cabinets of each of the Colleges. The collection is already extensive, comprising more than a thousand specimens, scientifically distinguished and labelled. The Report, which may be looked for from the learned Professor, on the completion of the work, will not fail to be highly interesting, and a valuable acquisition to the stores of knowledge. Some suggestions made by him of new subjects for inquiry, which I deem proper to refer to your consideration, induce me to submit to you parts of a late correspondence between us.

The Reports of the Officers of the State Prison show the highly improved condition of that Institution. It is now made, eminently, what a Penitentiary should become, a place of just yet merciful correction, and of the means of moral reform. A strict and steady discipline has been enforced from the time of the occupation of the new Building. All improper indulgencies have been effectually repressed, intercourse and social communication are prevented, and constant restraint, in alternate labor and the seclusion of the solitary cell, is imposed. The faithful offices of the Chaplain give opportunity for religious improvement. Instruction is imparted in exercises of private and public devotion, by an attendance on morning and evening prayers, in the teachings of the Sunday School, and in stated ministrations on the Sabbath. Classes of the young and ignorant are taught to read and write, and whatever respite is allowed from toil to any, is given to the means of moral and intellectual culture, to self reflection, or to necessary rest. Already the fierce and turbulent spirit is seen to yield, and habits of submission, useful occupation, and patient industry to be

formed. The Inspectors, in their Report, say, "the effects of the new system, under the direction of the Warden, Chaplain, and Physician, are visible and cheering to the prospects, and encouraging to the hopes of the friends of Penitentiary Reform. The Convicts have become more submissive, obedient, orderly and contented, more susceptible of moral influences and religious impressions. They are easily governed, and attentive to the instructions of the Chaplain. Few punishments are inflicted, and those chiefly for minor offences, and their daily tasks are diligently performed, without the aid of pecuniary rewards." A frequent visitation and careful inspection of the Prison afford the truest cause for satisfaction with this representation. To the principal Officers the community are indeed indebted, in a measure of respect greatly beyond what is due for the mere performance of duty. They have given to the objects and interests of the institution a purpose of mind, and a devotion of feeling, which have added ten-fold influence to the voice of authority.

With the advancement of moral purposes, it is gratifying to find that the pecuniary affairs of the Prison are also improving. By the accounts made up to the first of October, the balance of expenditures beyond the earnings of the convicts, the last year, appears to be \$6892,02—and the whole excess, into \$90,60, to have been incurred in the first six months of that period. The deficiency in 1829, was \$8396,43, and in the year preceding it exceeded \$12,000. It should be distinctly understood, that in stating the accounts for the year past, no credit has been given for the labor of the convicts upon the new chapel erected within that time, and that the institution is chargeable with an expense of not less amount, in the

estimation of the Inspectors, than \$2000 *annually*, for the removal of prisoners from the County Jails, and for clothing furnished to discharged convicts, and allowances of money to enable them to return to their families, or for their temporary subsistence while they seek employment, immediately upon their liberation. These items, so considerable in the aggregate, and the latter so creditable to the humanity of the laws, have no necessary connexion with the support of the Prison. They are believed to be peculiar to this establishment, and should be taken into consideration, when comparing the accounts of recent with former years, and the pecuniary results of this, with other similar Institutions. With such deductions, and a credit to the Prison for the labor upon the Chapel, the balance of the last year would be reduced to less than \$4000.

It is scarcely reasonable to expect that the Prison, under an entire change in its arrangement and government, should be made, at once, a place of profitable labor. From the physical incapacity of some of the convicts, the short terms of the commitments of many of them, their previous habits of idleness, and, generally, their ignorance and unskilfulness, at first, in the work to which they are put, their productiveness is, in no degree, proportionate to their numbers. But experience is continually suggesting improved modes for their employment, and for effecting savings in the cost of their support. By judicious management, rigid economy, and a strict accountability under the administration of the present system, it may be hoped, that the annual debit will be made gradually to diminish, and, with better prices for labor and the productions of the Prison, the balance may be shifted to the credit side of the account. The Reports to which I have



referred will be laid before you. They present, in interesting detail, a history of the management and condition of each department of the Institution. I particularly recommend to your official direction the alterations which are proposed in the Hospital, and the further accommodations which are required in the Yard. If these should be authorized, they may be executed, principally, by the labor of the Convicts.

The Accounts of the Treasury Department for the past year, made up to the first of the present month, show an excess of Expenditures over Receipts, of \$10,551 16; the former amounting to \$330,440 28, the latter to \$319,889 12. This is exclusive of loans, on the one hand, or payments on account of loans on the other. At the commencement of the last year the debt of the Commonwealth, on account of money borrowed, was \$107,300 00; it is now \$114,100 00. The balance in the Treasury was then \$29,026 38—now it is \$25,275 22. In comparing the amount of expenditures for the two years, as they appear in the abstracts of the Treasurer, it is to be regarded, that the salaries of the Civil Officers of the Government, for three quarters only, were included in the account of 1829, while the remaining quarter of that year now swells the amount of expenses for 1830. It should also be noted, that the receipts from the ordinary resources of the Treasury have sensibly fallen off. The amount of Duties received from Auction Sales, is less by \$4,209 27; and from the reduction of the Capital of some of the Banks, and by vacating the charters of others, the Bank Tax has been diminished \$4,402 70. A small proportion only of the appropriations for Surveys now going on, and for the Hospital in building, has yet been wanted, and the balance should be taken into the estimate of expenses for the current year. To meet the demands

upon the Treasury, and prevent the accumulation of debt, the grant of a tax of the usual amount will be necessary.

My attention has been drawn to a decision of the Supreme Judicial Court of the Commonwealth, at the last term in Suffolk, in an action of debt brought by the Treasurer, on an Auctioneer's Bond, for the recovery of a sum of money supposed to have accrued to the Government, under the Statute of 1822, Ch. 87, imposing duties upon Sales by Auction. The act provides *that all Real and Personal Estate*, with certain exceptions not affecting the case, *which shall at any time be exposed to sale at public auction or vendue*, shall be subject to certain specified duties. In the case before the Court, the transaction was an offer at auction to lease certain tenements for five years to the highest bidder of an annual rent for their occupation, for that time. The contract was struck off at a bid of \$1950 annually, and a Lease, by Deed of Indenture, thereupon executed between the owners in fee and the Purchaser. It was held by the Court, *that this was not a sale of Real or Personal Estate, under the Statute, there being no Estate sold, but a mere contract to create an Estate for years*. "All that was offered to be sold and was sold, (say the Court,) was an engagement or contract to lease the Estate for five years. It was only in fact to ascertain the Annual Rent in the form of a Sale."

This construction, although unquestionably sound and required by the language used in the Statute, was different from that which had been practically adopted at the Treasury, and, in its application, it is apprehended, may seriously affect the revenue from sales by Auction. It certainly indicates a defect in the law,

through which, by a little management, its provisions may, in many cases, be evaded. Contracts, by auction, to lease Real Estate are of frequent occurrence. They are made for all periods of time, from a single quarter, to a length of continuance short only of an absolute fee. In principle there can be no difference between a contract for a Lease for five years, and one for ninety-nine years, a limitation not unfrequent in the transfer of Real Property. If the law is to attach to no contract of sale by auction, but where the property itself, *in its pre-existing state*, is the subject of the sale, a class of cases will escape the tax, which are clearly within the reason of the enactment. Most transfers may be effected by such executory engagements. Any less estate, carved out of a greater, is as truly a new created interest, as a term for years out of a tenancy in fee. It is intimated in the opinion of the Court, that the sale of an actually existing lease may be within the liability to the duty. But it is manifest that the duty here would be evaded, by a contract to assign a property, less in amount or duration, or in any respect other than the lease itself, with the whole interest held under it. The rule of construction given to the law, may, possibly, also be made to apply to personal property.

For Merchandize itself, a contract in form to deliver Merchandize may, in some instances, conveniently enough be substituted; and in lieu of a sale of goods, there may be only an engagement with the highest bidder, for supplies of goods. For aught I can perceive, all the raw materials for manufacturing establishments or for other objects might, through the intervention of auctions, thus be provided, and their products, in return, disposed of. Instead of a hundred bales of Cotton, for

instance, an offer to contract for furnishing this article, in any quantity and for any time, might be the subject of sale to the highest bidder. In this no property would be sold, but an engagement only to furnish property, and the bid, as in the case of the lease, would but ascertain the price. If, therefore, the Legislature intend that sales of this description shall hereafter pay a duty, the law requires amendment. The case decided by the Court may be of a class intentionally omitted, but the construction which the law has received will present questions of more important bearing. The subject is worthy of regard, and I recommend the expediency of revising the statute to your consideration. Should this be done, it may be necessary to prescribe a mode by which, when the sale is for a contingent sum or upon an annual rent, the amount of duty shall be determined.

The important and responsible Agency of the Land Office continues to be satisfactorily and successfully conducted. By the judicious arrangement and personal care and supervision of the Agent, the public lands are protected from depredation, and sales, to a considerable amount, effected. During the last year, these sales, of various parcels, in different parts of the State of Maine, equal in quantity to about five Townships of six miles square, have produced \$30,931 41, and the permits for the cutting of Timber \$3238 02. The aggregate amount, after deducting incidental expenses, has been paid by the Agent, in money and securities, into the Treasury of the State.

The authority under which the Agent now acts, restricts him in the sale of townships to those which lie south of the Monument Line. On the north of that line the lands are said to be of excellent quality and in demand for settling.

I submit to the Legislature whether it may not be expedient to extend the authority of the Agent, under restrictions as to price and number of Townships, to sell on either side of the line, where the demand shall give the best market. It is obviously for the interest of the Government to dispose of those lands first, which are most sought after for immediate settlement, as by every approximation of population and improvement to the more remote and less desirable districts, these, in turn, become appreciated.

In proposing, however, an extension, or even a continuance, of the sales of the Public Lands, I cannot but ask your indulgence to the repetition of a recommendation offered by me to a former Legislature, that the proceeds should be made to constitute a fund, pledged to the purposes of Education, and to objects of Internal Improvement. The payments are now made into the Treasury, and there absorbed by the current expenses of the Government. The Land is sold, the money spent, and, by this process, ere long, that Estate, which came as a patrimony from our Fathers, and the enjoyment of which, in some form or other, should be regarded as a sacred right of inheritance in our children, will be lost, utterly, both to us and to them.

It is represented to me, by the Agent, that the Lands appropriated by the Resolves of the 4th of March, 1828, and the 18th of February, 1829, for assignment to the non-commissioned Officers and Soldiers of the Revolutionary Army, who served three years, as a part of this States' quota, and were honorably discharged, or to their Legal Representatives, will be insufficient to satisfy the claims of all those, who are entitled to Lots under the bounty of the Government, and that a further designation by the Legislature, of the Townships out of which the particular assignments shall be made, will soon become necessary

So far from its being cause for regret, that these claims have proved numerous beyond anticipation, it is occasion of the truest joy, that there is yet allowed to the present generation opportunity for a recognition, even by this poor gratuity, of obligations forever due to the services and sufferings of brave and patriotic Ancestors.

The Judicial investigation of an appalling outrage upon the inviolability of Habitation and Person, in a neighboring County, during the last year, has induced to a more thorough discussion, and certain understanding of the law in relation to Principals and Accessaries in Felonies. It is now solemnly settled, by the highest legal tribunal, that the rule of the Common Law, which requires that the principal felon must be convicted before a supposed accessory can be put upon trial, unless by his own consent, is directory to the administration of justice in this Commonwealth. The Court, indeed, while feeling constrained to yield to the authority, express great disapprobation of this distinction. The late learned and lamented Chief Justice, whose last act, in a life of eminent virtue, true greatness, and public service, was a profound research into the foundation and support of the doctrine of the common law, in its application to our system of jurisprudence, that he might find wherewithal to overrule it, pronounced the difference which existed, in regard to the form and manner of trial of principals and accessaries before the fact, "*a relic of the unwise refinement of ancient times*," and suggested "that the Legislature would probably afford a remedy for future cases." The unsoundness of a rule, which, however plausibly it may be sustained by reasoning in the abstract, that there can be no accessory without a principal, and that there is no principal until conviction, yet

*practically* has a bearing only towards impunity for crime, cannot but be apparent. Its effect may be, and often has been, to discharge one guilty man because another eludes justice. Successful concealment or escape, or death by the visitation of Providence, or an act of self-violence, may prevent a conviction of him who might be the weak and tempted instrument of another in the commission of crime, and the consequence is entire immunity to the profligate and abandoned contriver and instigator of the wickedness.

Nor is the rule itself well supported by the only reason on which it rests. Innocence is not thereby better guarded from peril. There may be even less safety to the accused, from this very course of proceeding. When deeds of rare and dreadful atrocity are perpetrated, and the public mind becomes greatly excited, the trial of a supposed principal may be precipitated or unconsciously prejudiced, in an honest zeal to reach the more guilty accessory. But to the accessory there can be no increase of danger from his previous trial to that of the principal. He cannot be convicted without proof of the guilt of *both*, and doubt, as to the participation of *either* in the imputed offence, will sufficiently avail to his security. So satisfactory, in recent times, were the objections to the law, in that country whence we derived it, that an act of parliament was passed, in the last reign, for its alteration, and now, in England, by the 7th George 4th, he who hires or procures a felony to be committed, "may be indicted and convicted, either as an accessory before the fact to the principal felony, together with the principal felon, or after the conviction of the principal felon ; or may be indicted and convicted of a substantive felony, whether the principal felon shall or shall not have been

previously convicted, or shall or shall not be amenable to justice." The well known circumstances of the transaction to which I have alluded will furnish to your minds the best illustration of the reasons for passing a similar statute here. I submit it to you, respectfully, that it should not be the reproach of an enlightened Commonwealth, in a liberal age, that it became the last repository of the "relic" of a barbarous jurisprudence.

The importance to the community, of a prompt, able, and efficient administration of justice, will always secure to any proposition, by which it is designed to be facilitated, a favorable attention. It has of late been a subject of very general and just remark, that the increased business of the Supreme Judicial Court has occasioned a severe pressure on time for its regular and convenient transaction, and imposed upon the Judges oppressive labor in the discharge of their duties. In both these respects, I apprehend, much relief might be afforded, and great advantages every way produced, by transferring the criminal jurisdiction, except only in capital cases, to the Court of Common Pleas. When it is considered, how that tribunal now is, and always may be, composed, of men of talents, learning, and sound discretion, enjoying the full confidence of the people, there can be no distrust, that, from such change, there would still remain the same security to innocence, and like certainty of the just conviction of guilt. The criminal code, from its object, and in the very nature of our institutions, is plain and simple, and easy to be understood, rarely giving occasion, in the application of its principles to facts, or in the proceedings upon trials, to new, subtle, and difficult legal questions. Should these occur, they may be referred, upon exceptions, or a report of the presiding Judge,



for consideration and ultimate decision, to the highest tribunal. It is also to be regarded, that the grand and traverse juries are now by law constituted in the same manner in both Courts, being drawn by lot to serve in either, from the same jury boxes. Hence there would be no less qualification, or exercise of intelligence, in those with whom would rest the issues of fact.

As an additional consideration of much weight in favor of the alteration, the investigation of offences would be more prompt, from the greater frequency of the terms of the Common Pleas. The accused, not unfrequently now, are confined for a period of six months, waiting the circuit of the Supreme Court for opportunity for trial. To the innocent this imprisonment, in many cases, is scarcely less severe than the punishment inflicted upon crime, while to the guilty it metes out no measure of atonement, and offers no aid to reform. To the State, also, as the Treasurer's Accounts will exhibit, it is attended with great, and to any purpose but a compliance with the law, as it seems to me, most gratuitous expense. The terms of the Common Pleas are held with intervals of half the time, and from the information which I have of the sittings, and of the duties of the Judges, faithfully and vigilantly performed as they are, the additional assignment of the criminal business would not constitute an unreasonable requirement of service.

By this arrangement, the Supreme Court would be spared much of that time which is so greatly needed for the trial of civil causes. With the original and exclusive jurisdiction of the numerous classes of cases, in which the punishment is imprisonment in the State Prison, no inconsiderable portion of each term, in the large Counties, is occupied in criminal trials, and with the imperative du-

ty of delivering the jails, these trials often greatly interfere with the business of the whole Court, on the Law Circuit. Grand and traverse juries are also assembled immediately upon the dismissals of precisely similar bodies in the Common Pleas, with no other diversity of duties, than what results from the difference of jurisdiction in the tribunals before which they are convened, and the traverse juries are often detained waiting the argument of causes requiring the presence of the full Bench, to be afterwards put upon the discharge of their appropriate office in the trial of facts, before a single Judge.

With much reflection bestowed upon this subject, in all its various bearings, I am persuaded, that no greater improvement could be produced in the administration of justice in this Commonwealth, than by the measure of transferring the criminal jurisdiction in the manner proposed. To make it effectual to the despatch of business in the Supreme Court, it should be vested, with the exception before suggested, *exclusively* in the Common Pleas. This only could prevent interference with the civil business of the higher tribunal, and save the occasion, most generally, either of grand or traverse juries, at the law sittings. To provide for the trial of capital cases, at these terms, it might be required of the Sheriffs of the respective counties to certify commitments for such offences, to the Chief Justice, who thereupon would give order to the Clerks for issuing the proper venires for the attendance of Jurors. May it not also be worthy of inquiry, whether still further benefit would not result to the community from enlarging the final jurisdiction of the Common Pleas in *civil cases*, by increasing the sum which now restricts the right of appeal. This would have a tendency to advance the usefulness and respectability of that

Court, while it would keep from the docket of the appellate jurisdiction many cases of less pecuniary importance than the costs incurred in their litigation.

On former occasions, I have earnestly pressed upon the attention of the Legislature the claims of the impoverished and unfortunate to an amelioration of the laws which subject the person to imprisonment for debt. Increased information and greater liberality in public sentiment on this subject encourage the hope, that some measure of alleviation will now be adopted. Experience has abundantly proved how utterly unavailing is this species of coercion to the collection of debts. It may well be feared, that resort to it, in many instances, not only results in showing the incapacity, but in destroying, also, the very inclination to make payment. Deep, extensive, unalleviated distress is the consequence of the imprisonment of the honest poor, and with the privations of restraint to the debtor, are oft times mingled the keenest sufferings of tender and helpless families in want. Wise and provident legislation will mark the distinction between inability and fraudulent concealment, and while it will secure to the former the indulgence due to involuntary misfortune, it will punish the latter with a severity merited only by deliberate moral transgression. In the discussions which have been had before the public, various modes of relief have been proposed. But that which consists in extending exemption from arrest to a much larger amount of debt than at present, and in all other cases substituting security for the appearance of the debtor to submit to an examination, for imprisonment previous to an opportunity for showing his right to a discharge, appears to have been most favored. These are simple provisions, and do the least violence to former opinions and

accustomed habits of business. If more than this, in your judgment, can practically be accomplished, without weakening the salutary restraints upon improvident credits, or impairing the motives to faithful endeavors in the fulfilment of contracts, it will meet from me a ready and most cordial approval.

By the Constitution and Laws, the civil functions of the Chief Magistrate are intimately associated with an attention to the military department of the Commonwealth, and it is no less his duty to make the situation and wants of the latter a subject of official communication, whenever occasion may require. The abstract of the last annual returns gives an aggregate of 49,560 enrolled men. The obligations, interests, and feelings, of so large a class of our fellow citizens can never be passed unheeded, or be lightly treated. I have learnt, with much regret, that the law of the last Legislature, on the subject of military duties and exemptions, has failed to produce the satisfaction which was hoped from its enactment. While some of its provisions have proved highly salutary, others are practically defective, and have received various and opposite constructions. The law is thus rendered uncertain and unequal in its operation, and complaints of the whole system of organization and discipline still continue. Mingling, as you do, with those who are called to the performance of this service, and some of you doubtless engaged in its duties, and collectively here representing the situation and sentiments of the people of every part of the Commonwealth, I may best appeal to your own observation for a knowledge of the well-founded objections which exist, and to your regard for constitutional duty, and your love of country, in determining the manner in which they may be obviated.

But it should be borne in mind, that no system of mere obligations will ever be found altogether acceptable. The demand of personal service, like that of pecuniary taxes, is an exaction of contributions to the public good. Although it may very justly be regarded as a burden, yet it is necessarily made the price of civil and social security. That the militia system, however, is unreasonably onerous, cannot be controverted. Some palliatives may be afforded by State Legislation. But the remedy lies not here. It is time this matter was better understood. The radical defect is beyond and above all State Legislation. Effectual relief rests only with Congress. The Constitution of the United States has placed there, *expressly and exclusively*, the power of *organizing, arming, and disciplining the Militia*, and it is to this organization, under an authority exercised almost forty years since, that we may refer for the true ground of most of the complaints which are now considerably uttered. Can it be thought strange that a law of Congress passed in 1792, when the population of the Country hardly exceeded one third its present amount, should be found inapplicable, through all the subsequent changes of circumstances and time, to the condition of the people, and yet it is by the unrevised and unmodified provisions of an act of legislation of that year, *that to this day*, enrolments are made, and the militia organized. Let appeals on this subject henceforth be directed to Congress, with the earnestness and force with which, in overlooking that only competent authority, they have hitherto been addressed to the State Legislatures, and there might soon be not only a correction of existing defects, but a well adapted system, and, with at least as much efficiency of organized force, a better satisfied militia. But, while

the paramount laws of the National Government remain unchanged, little can be done by State Legislation to conform the requirements of service to public sentiment, and at the same time preserve in sufficient vigor and capacity for usefulness, an institution so important, as, in the very frame of our republican government, to be declared "*necessary to the security of a free State.*"

It becomes my duty to inform the Legislature that a vacancy has been occasioned in the Executive Council, by the appointment of the Hon. Joseph E. Sprague to the office of Sheriff of the County of Essex.

I have thus, gentlemen, presented to your attention numerous leading subjects of interest in the local concerns of the Commonwealth. In doing this, I have endeavored to confine myself within the strictest limits of official duty, and have aimed only to treat of matters of business, plainly, and with the explicitness necessary to be understood in the communication. I regret the great length to which this Address is extended, but the importance of the subjects will, I trust, justify the notice they have received. There is no space left, without trespassing too far upon your indulgence, for a particular reference to more general topics. Nor is this indeed necessary. Upon the momentous questions of National concern, which now agitate the public mind, the voice of Massachusetts has been heard in her recent Elections. The People, *for themselves*, have proclaimed their firm and unalterable attachment to the Federal Union, and their regard for the supremacy of constitutional law over sectional interests and passions. They have given their votes to the support of that system of policy, which consists in accomplishing measures of Internal Improvement, protecting and encouraging Domestic Industry, and rest-

ing the enjoyment and preservation of free Institutions on a developement of the resources of the Country, the disinterested patriotism of the People, and the inviolable faith of the Government, the only basis of true National Independence and Glory.

In the late astonishing political movements in other Countries there is also felt a deep and animating interest. The internal commotions of the Kingdoms of Europe are the subversion of the foundations of Despotism. Liberal principles and acknowledged civil rights are, every where, breaking the shackles of oppression, and the minds and hearts of Freemen will sympathize in the strugglings, and respond with congratulations to the triumphs of liberated and disenthralled Nations.

It remains only, that I renew the assurances of an earnest desire to co-operate with you in any measures, which, in the fulfilment of our respective Official Trusts, under the overruling Providence of God, and with his invoked Blessing, may advance the interest and happiness of our immediate Constituents, and be promotive of the security, peace, and prosperity of our beloved Country.

LEVI LINCOLN.

*Council Chamber,*

*Boston, January 5, 1831.*

CHAP. XXII.

*Resolve for purchasing the Engineer's Report of the Survey of a Route for a Rail Road from Boston to Lake Ontario.*

January 14, 1831.

*Resolved*, That the Secretary of the Commonwealth be authorized to purchase, for the use of the legislature and executive, seven hundred and fifty copies of the report of the Engineer for the survey of a route for a rail road from Boston to Lake Ontario.

*Provided*, the price thereof shall not exceed eight cents each.

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CHAP. XXIII.

*Resolve for purchasing the Report of the Prison Discipline Society.*

January 15, 1831.

*Resolved*, That the Secretary of the Commonwealth be authorized to purchase, for the use of the legislature and executive, six hundred copies of the fifth annual report of the prison discipline society.

*Provided*, That the price thereof shall not exceed twenty cents per copy.



CHAP. XXIV.

*Resolve for payment to the Estate of the late Chief Justice Parker.*

January 17, 1831.

*Resolved*, That His Excellency the Governor be, and he hereby is authorized and requested, to draw his warrant on the Treasurer of this Commonwealth, in favor of the legal representatives of the late Hon. Isaac Parker, chief justice of the Supreme Judicial Court, for such sum of money as would have been due to him, had he continued to discharge the duties of his office from the time of his decease to the end of the quarter during which he died, after deducting such sums as he may have received by fees of court, or otherwise, and remaining unaccounted for.

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CHAP. XXV.

*Resolve on the petition of Henderson Inches, of the City of Boston, in the County of Suffolk, and Commonwealth aforesaid, merchant.*

January 20, 1831.

*Resolved*, For reasons set forth in said petition, that the said Henderson Inches be, and he is hereby fully authorized and empowered, for and in the names and behalf of his minor children, to wit, Caroline Inches, Charlotte Inches, Martin B. Inches and Heman B. Inches, respectively, to perform and execute any and all acts, matters and things whatsoever, necessary to make said minors parties to any deed or deeds and indenture, similar and conformable in all respects to a certain other deed or deeds and indenture of three parts, executed by and between the city of Boston, the mercantile wharf

corporation, and George W. Brimmer and others, owning (in common with said minors) the T wharf, so called, in said city ; also to release and convey to said city and mercantile wharf corporation and each of them, their respective successors and assigns, all the right, title and interest of said minors and each of them, in and to certain lands, flats, rights and privileges, released or conveyed to said city and mercantile wharf corporation, or either of them, in and by said indenture and certain deeds executed by the said George W. Brimmer and others, which indenture and deeds bear date the thirtieth day of December, in the year of our Lord one thousand eight hundred and thirty, and are recorded in the registry of deeds in said county of Suffolk. Also, in the names and in behalf of said minors respectively, to sign, seal, acknowledge and deliver any and all deed or deeds, which the said Henderson Inches may deem necessary or expedient, in any arrangement made, or to be made, relative to the rights and estate of said owners of said T Wharf, or the rights of the proprietors of said Boston Pier or Long Wharf, and which deeds shall also be executed by said other owners of said T wharf.

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## CHAP. XXVI.

*Resolve on the Petition of John Jeffries.*

January 21, 1831.

On the petition of John Jeffries of Boston, in the County of Suffolk, guardian of John Joy, minor,

*Resolved*, For the reasons set forth in said petition, that said John Jeffries, the petitioner, as guardian of said John Joy, a minor, be, and is hereby fully authorized and empowered, in the name and on behalf of said John Joy, to sign, seal, acknowledge, and as the act and deed of said John Joy, to deliver any deed or deeds necessary or proper to grant and convey unto Samuel Jackson, jr., of said Boston, painter and glazier, and unto Melzar

Dunbar, of said Boston, housewright, their respective representatives or assigns, the several lots of land mentioned in said John's petition, which, under the agreement therein set forth, ought to be granted and conveyed to said Jackson and Dunbar respectively, and such deed or deeds so made and delivered shall effectually, and to all intents and purposes, pass said minor's right, title, interest and estate of, in and to said several lots, to the respective grantees named in said deeds, their heirs and assigns.

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## CHAP. XXVII.

### *Resolve on the petition of Hannah Joy.*

January 21, 1831.

On the petition of Hannah Joy, executrix of the last will and testament of Benjamin Joy, late of the city of Boston, in the county of Suffolk, Esquire, deceased, praying that she, or the guardian of John Joy, a minor child of said Benjamin, may be duly authorized and empowered to make, execute, acknowledge and deliver any and all deed or deeds, for and in the name and behalf of said John Joy, necessary or proper to grant and convey unto John Templeton, of Boston, aforesaid, stone cutter, James Bird and Charles H. Pond, housewrights, and Francis L. Bates and Nathaniel B. Frost, masons, certain lots or parcels of land situate in said city, and described in said petition.

*Resolved*, for reasons set forth in said petition, that said Hannah Joy, the petitioner, or John Jeffries of said city of Boston, physician, the guardian of said John Joy, either jointly or severally, be and they are hereby fully authorized and empowered, in the name and on behalf of said John Joy, to sign, seal, acknowledge, and as the act and deed of said John, to deliver any deed or deeds necessary or proper to grant and convey unto said Templeton, Bird, and Pond, and Bates and Frost, their

respective representatives or assigns the several lots of land mentioned in said Hannah's petition, which, under the agreements therein set forth, and alleged to have been made by said Benjamin, ought to be granted and conveyed to said Templeton, Bird and Pond and Bates and Frost respectively, and such deed or deeds so made and delivered shall effectually, and to all intents and purposes, pass said minor's right, title, interest, and estate in and to said several lots to the respective grantees named in said deeds, their heirs and assigns.

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## CHAP. XXVIII.

*To the Honorable the Senate,  
and House of Representatives;*

HIS Excellency the Governor of Alabama has forwarded to me a copy of certain resolutions adopted by the General Assembly of that State, and formally and officially approved by him on the 11th of December last, which, although unaccompanied by the usual request that they should be laid before the legislature of this Commonwealth, yet could have been transmitted for no other purpose, and are therefore, from that courtesy which is due to the authority from which they emanate, now respectfully submitted to your consideration.

The purport of these resolutions is an extraordinary and extra legislative nomination of the President of the United States for reelection, together with expressions of unlimited confidence in his fitness for that high office, and an unqualified approval "of the principles he has introduced into his administration, the measures he has recommended, and the views he has from time to time presented of the true policy of the government." They also declare an opinion, that "the best interest of the Union requires his reelection, and recommend him to the other States of the Union, for the office of President after his present term shall expire."

An appeal thus formal, and directly addressed to the

States of the Union presupposes an expression by their legislatures respectively, of the sentiments entertained by them, on the same subjects, and suggests a consideration of the propriety of that action here, which otherwise might have seemed gratuitous, and would be as unusual, as it has hitherto been uncalled for. The concurrence of Massachusetts in the resolutions of the legislature of Alabama is not to be presumed, but it may be due to the frankness of communication with a sister State, as well as to the sincerity and support of our own principles, that an explicit declaration should preclude the misapprehension of assent to propositions to which their reception, without some expression of notice, might tend. An interesting and momentous crisis in the domestic relations of the States to each other, and to the general government, seems to be fast approaching. The strength of the Union is assailed at various points, with menacing and fearful import of evil. The laws of Congress, by one legislature, are denounced as the exercise of usurped and arbitrary power, and by the summary proceeding of popular resolves, are declared unconstitutional and void. By another legislature, the authority of the highest judicial tribunal, acting within the scope of its accustomed operation, and with the sanction of numerous precedents, is set at defiance, and upon sudden occasion, by precipitate decisions, without even argument, or time given to deliberation, its precepts are contemned, and military force threatened in resistance to civil process in its ordinary and peaceful course of execution. Again, the faith of the Nation is claimed for the keeping of the State Governments, to be interpreted according to the pleasure of each of these sovereignties, while the policy of the country is sought to be conformed to their ever varying interests, or to the cupidity and excited passions of opposing sections, and conflicting parties of citizens. Is it not time, then, in this peril of all which is valuable, that patriotic friends to the Union, true men, who loving, will go for their country, should rally to its preservation;—that they should look for security, beyond the men and measures of the administration to the constitution, the only shield which can be interposed between the errors of rulers, and the sacred rights of the people;—that with

a faithful allegiance to the charter of their independence, they should give their firmest purpose, and most strenuous efforts, to sustain its strength against the assaults with which it may be menaced? Much may yet be hoped from respectful, temperate, and persuasive appeals to a spirit of forbearance and patriotism, in opposition to violent and sudden counsels. The Union can only be preserved through the vigor of its institutions, and the constitutional independence of its various departments. The general government must be sustained, if sustained at all, in the unimpaired exercise of all its legitimate functions. There is no other safety to the States themselves, than in the guarantee of a republican form of government by the sovereignty of the Nation. The first measure of actual collision will be the certain onset to civil conflict, and with the destruction of the confederacy would terminate the republics, whose jealousies and diverse interests could not endure the necessary bond for mutual protection.

To the counsels of your discretion, and wisdom, and patriotism, I commend the consideration of these vastly interesting subjects. For the few suggestions which I have offered, I seek no apology beyond the occasion which requires the transmission of the accompanying document. There are periods when a silent performance of an act of duty might justly be deemed an avoidance both of personal and official responsibility. An explicit declaration of opinions, on measures which directly affect the vital principles of the government, and in their consequences may shake the republic to its foundations, is the first and highest obligation of every citizen; and least of all are they to be excused in the neglect of this, who, as representatives of freemen, are placed at the posts of observation, to watch with vigilance, and in faithfulness to sound the alarm, on the approach of danger. *It is not to nominations of candidates for the presidency*, but to graver questions of enduring political moment, which have respect to the distribution of the powers of the government, and the security of their rightful and free exercise, to the principles and policy which should direct a republican administration, rather than to individuals who are, or who may be

temporarily entrusted with it, that I would invite your attention.

LEVI LINCOLN.

*Council Chamber,  
Jan. 22, 1831.*

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## CHAP. XXIX.

*To the Honorable Senate;*

I respectfully return to the Senate, where it originated, a bill, entitled "an act to incorporate the Pigeon Cove Harbor Company," without my approval. The objection results from the omission to provide for a jury to estimate the damages, if the party whose property is taken or prejudiced, by the construction of the work to which the corporation is authorized, shall be dissatisfied with the report of the committee. By a careful examination of the *fourth* section, it will be apparent, that the power of the Court, to direct an issue to the country, is restricted to cases in which, upon a complaint by a party whose lands are injured, the corporation "deny the title to the lands damaged, or shall claim a right to do the act complained of without the payment of damages or for an agreed composition," while no provision is made for an assessment of damages by a jury, after those issues are found in favor of the complainant.

Upon recurring to the statute books, I find that, in 1828, a law incorporating the "Lanes Cove Pier Company," with similar provisions to those in the present bill, was enacted. This defect was not then perceived, but the haste or inadvertence, often the result of the pressure of business, by which an act of legislation may at any time be passed, is not to be considered as a precedent for error, whenever it shall be detected.

LEVI LINCOLN.

*Council Chamber, January 24, 1831.*

[The foregoing Message having been read and con-

sidered by the Senate, the question was taken, by yeas and nays—shall this bill pass, notwithstanding the objections of the Governor? and the vote was declared to be, *yeas*, none; *nays*, thirty; and so the bill was rejected.]

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## CHAP. XXX.

*Resolve on the petition of Martin Wheelock, granting a renewal and continuance of his pension.*

January 26, 1831.

On the petition of Martin Wheelock, of Conway, in the county of Franklin, praying for a renewal and continuance of his pension, on account of a wound he received while performing militia duty in the year 1818;

*Resolved*, That there be allowed and paid out of the Treasury of this Commonwealth to the said Martin Wheelock, the sum of thirty dollars a year, for the term of three years from the 12th day of June, A. D. 1830, should he live so long, and His Excellency the Governor, with the advice of Council, is hereby authorized and requested to draw his warrant accordingly.



CHAP. XXXI.

*Resolve authorizing the Treasurer to borrow money.*

January 26, 1831.

*Resolved*, That the Treasurer of this Commonwealth be, and he is hereby authorized and directed to borrow, of any of the banks of this Commonwealth, or any corporation therein, or of any individual or individuals, such sum or sums of money as may from time to time be necessary for the payment of the ordinary demands on the Treasury, at any time before the meeting of the next General Court, and that he pay any sum he may borrow, as soon as money sufficient for the purpose and not otherwise appropriated shall be received in the Treasury.

*Provided however*, That the whole amount borrowed by authority hereof, and remaining unpaid, shall not at any time exceed the sum of one hundred and forty thousand dollars.

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CHAP. XXXII.

*Resolve in favor of Edward W. Baxter.*

January 28, 1831.

*Resolved*, That there be allowed and paid out of the Treasury of this Commonwealth to Edward W. Baxter, of the city of Boston, the sum of ninety dollars, in full compensation for injuries received on the 6th day of October, A. D. 1830, while in the discharge of militia duty: and His Excellency the Governor, with the advice of Council, is hereby authorized and requested to draw his warrant accordingly.

CHAP. XXXIII.

*Resolve on the Petition of Noah Clark, Jr., and Warham Pease.*

January 31, 1831.

On the petition of Noah Clark, Jr., and Warham Pease for a reward for pursuing, arresting and prosecuting one Henry Barton, who was charged with passing a counterfeit bill, purporting to have been issued by the Boston Bank, and who, after his arrest, entered into a recognizance with sufficient sureties which was afterwards forfeited to the Commonwealth ;

*Resolved*, That there be allowed and paid out of the treasury of this Commonwealth to Noah Clark, Jr., and Warham Pease, jointly, the sum of forty dollars, for the reasons above stated : and His Excellency the Governor, with the advice of the Council, is hereby authorized and requested to draw his warrant accordingly.

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CHAP. XXXIV.

*Resolve in relation to the Geological Survey of the Commonwealth.*

February 2, 1831.

*Resolved*, That His Excellency the Governor, by and with the advice and consent of Council, be, and he is hereby authorized to direct the person who is appointed to make a geological survey of the Commonwealth, to cause to be annexed to his report on that subject, a list of the native mineralogical, botanical, and zoological productions of the Commonwealth, so far as it may be practicable to ascertain the same, within the limits of the appropriation already made for this survey.

*Resolved*, That His Excellency the Governor, by and

with the advice and consent of Council, be, and he is hereby authorized to cause the said geological report, *provided* the same should be made before the general survey of the Commonwealth shall be completed, to be published in such way and manner as he with the advice of Council may deem proper and expedient ; and he is authorized to draw his warrant upon the treasurer of the Commonwealth, for such sum or sums, not exceeding one hundred dollars, as may be necessary to carry this resolve into full effect.

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## CHAP. XXXV.

*Resolve on the Petition of Derastus Clapp and others.*

February 4, 1831.

On the Petition of Derastus Clapp, Daniel Merrill, Horatio G. Snow and George Everett, praying for compensation for detecting and prosecuting one Fales N. Chidsey, a passer of counterfeit money, who forfeited his recognizance, which was afterwards paid to the treasurer of the county of Suffolk, and passed to the credit of the Commonwealth ;

*Resolved*, That there be allowed and paid, out of the treasury of this Commonwealth, to Derastus Clapp, Daniel Merrill, Horatio G. Snow, and George Everett, jointly, the sum of forty dollars, for the reasons above set forth ; and His Excellency the Governor, with the advice of Council, is hereby authorized and requested to draw his warrant accordingly.

## CHAP. XXXVI.

*Resolve on the Petition of Robert Bates, Oliver Bates and Betsey Bates.*

February 11, 1831.

*Resolved*, for the reasons set forth in said petition, that said Oliver Bates, as administrator of the estate of Josiah Bates late of Weymouth, in the county of Norfolk, housewright, deceased, be, and he hereby is authorized and empowered to sell at public sale, and pass deeds to convey, the following described parcel of land, of which certain minor children and heirs of said Josiah Bates deceased are legally seized, being about thirty acres of pasture and woodland situate in Hingham in the county of Plymouth, and bounding northerly on other land of said heirs, easterly by land of the heirs of Benjamin Dyer deceased, Josiah Lane, and Abner Pratt, southerly by land of James Humphrey, and westerly partly by land of Thaddeus Bates, and partly by the line dividing the said towns of Hingham and Weymouth, with all the rights and privileges thereto belonging. *Provided however*, that the said Oliver Bates first give bond to the Judge of Probate, for the county of Norfolk, with sufficient sureties, conditioned to pay over to said Betsey Bates, as the guardian of said minors, from the proceeds of said sale, the sum of three hundred and twenty seven dollars, and the interest thereon due, from March the nineteenth in the year of our Lord one thousand eight hundred and twenty seven, for the use of said minors, and the balance thereof, if any, to said Robert Bates, and comply with all the other conditions now required by law in the sale of real estate by executors and administrators.

CHAP. XXXVII.

*Resolve on the Petition of Zechariah Hunt, Oliver Bates and Betsey Bates.*

February 11, 1831.

*Resolved,* That, for the reasons set forth in said petition, the said Oliver Bates, as administrator of the estate of Josiah Bates, late of Weymouth, in the county of Norfolk, housewright, deceased, be, and he is hereby authorized and empowered, to sell at public sale, and pass deeds to convey the following described lot of land, together with the buildings thereon, of which certain minor children, and heirs of said Josiah Bates deceased, are legally seized, being about two acres and ninety-four rods, situate in said Weymouth, and bounding northwesterly by a road; northeasterly by land now belonging to said heirs; southeasterly by land of Ebenezer Humphrey; and southwesterly by Plymouth road, so called, with all the rights and privileges thereto belonging.

*Provided, however,* That the said Oliver Bates first give bond to the Judge of Probate for the county of Norfolk, with sufficient sureties, conditioned to pay over to said Betsey Bates, as the guardian of said minors, from the proceeds of said sale, the sum of three hundred and fifty dollars for the use of said minors, and the balance thereof, if any, to said Zechariah Hunt, and comply with all the other conditions now required by law in the sale of real estate by executors and administrators.

*Resolved,* That for the reasons set forth in the petition aforesaid, the said Oliver Bates, as the administrator aforesaid, be, and he is hereby authorized and empowered, to sell at public sale, and pass deeds to convey the following described lot of land, of which the said minor children are legally seized, being about two acres and ninety-four rods, situate in said Weymouth, and bounding northwesterly by a road; northeasterly by land of the heirs of Joshua Pratt, deceased; southeasterly by land of Ebenezer Humphrey; and southwesterly by

the land hereinabove described ; with all the rights and privileges thereto belonging.

*Provided, however,* That said Oliver Bates first give bond as aforesaid, conditioned to pay over to Betsey Bates, as guardian aforesaid, the whole proceeds of said sale, for the use of said minors, and comply with all the other conditions now required by law in the sale of real estate by executors and administrators.

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## CHAP. XXXVIII.

### *Resolve on the Petition of Jonas Munroe.*

February 11, 1831.

On the petition of Jonas Munroe, of Lexington, in the county of Middlesex, yeoman, administrator with the will annexed, on the estate of Amos Smith, late of Roxbury, in the county of Norfolk, deceased—praying for power and authority to fulfil and perfect his contract of sale, with Aaron Child, jr. and John Lemist of said Roxbury, named in said petition, of all the right, title and interest of which said Amos Smith, at the time of his decease, had in and to the real estate described in said petition, and hereinafter set forth, and to convey the same accordingly—it appearing that the said Jonas Munroe, as such administrator, has complied with the proviso contained in the resolve of this Legislature referred to in said petition and passed March 9th, A. D. 1830; by making oath before the Judge of Probate in and for the county of Norfolk, to act faithfully and impartially according to his best skill and judgment in making said sale, and giving bond with sufficient surety to said Judge to act as aforesaid in making said sale, and to account for and make payment of the proceeds of said sale to the persons entitled thereto agreeably to the rules of law.—Therefore

*Resolved,* for the reasons set forth in said petition, That the said Jonas Munroe as such administrator, with

## 484 JONAS MUNROE.—AUCTION DUTIES.

the will annexed of said Amos Smith, be, and he hereby is fully authorized and empowered to fulfil and perfect his said contract of sale, with the said Aaron Child, Jr. of all the right, title and interest, of which said Amos Smith died seized and possessed in and unto the parcel of land and real estate situate in said Roxbury, and bounded northwesterly on Washington street, so called, northeasterly on land of Charles Davis, southeasterly on the road leading to Dorchester, and southwesterly on land of Charles Bradbury, with the buildings thereon and the privileges and appurtenances to the same belonging—and also his contract of sale with John Lemist aforesaid, of all the right, title and interest of which said Smith died seized and possessed in and unto another lot of land and real estate situate in said Roxbury, and bounded southeasterly on said Washington street, southwesterly on land of Kendall Brooks, northwesterly on land of Charles Davis, and northeasterly on land of said Lemist with the buildings thereon and privileges and appurtenances to the same belonging; and to convey by deeds duly executed, acknowledged and recorded, to the said Aaron Child, jr. and John Lemist, respectively, the parcels of land above described and sold to them by said Munroe as set forth in said petition, together with all the privileges and appurtenances to the same belonging, for the sums by them respectively bid for the same.

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### CHAP. XXXIX.

*Resolve authorizing the repayment of certain Auction Duties.*

February 14, 1831.

*Resolved,* That any auctioneer who has paid into the Treasury of the Commonwealth any duties on sales of leases or contracts for leases, which have been judicially determined not to be within the scope of the acts

## AUCTION DUTIES—GRANTEES OF LAND. 485

imposing duties on sales at auction, may present to the treasurer an account of the amount of the duties so paid by him ; and the treasurer is authorized and directed to examine said account, and, if he be satisfied that it is correct, to certify it, and lay it before the governor : and the governor, with the advice of council, is authorized to draw his warrant on the treasurer in favor of said auctioneer, for the amount of the account thus examined and certified.

*Provided, however,* That any money refunded to any auctioneer, by virtue of this resolve, on account of certain sales at auction, shall be for the benefit of those persons who employed the auctioneer to make such sales, and from whom he received such money.

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### CHAP. XL.

*Resolve allowing further time for Grantees and Purchasers of Lands of this Commonwealth to comply with the conditions of their purchase.*

February 14, 1831.

*Resolved,* That the further time of six years, from the first day of June last, be allowed to all grantees and purchasers of lands of this Commonwealth, in the State of Maine, to enable them to fulfil the condition of said grants, by placing on the lands the stipulated number of settlers.



CHAP. XLI.

*Resolve on the Petition of Eliza Jennings.*

February 14, 1831.

On the petition of Eliza Jennings, praying that the balance of pension due her late husband, William Jennings, at the time of his decease, may be paid to her,

*Resolved*, That there be allowed and paid, out of the treasury of this Commonwealth, to Eliza Jennings, the sum of sixteen dollars and three cents, for the reasons above stated: and His Excellency the Governor, with the advice of the Council, is hereby authorized and requested to draw his warrant accordingly.

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CHAP. XLII.

*Resolve on the Petition of Joshua Wing, Seth Killey, Moses Swift, Seth Swift, Stephen Holway, Hezekiah Hoxie and Samuel Wing, Overseers of the Sandwich Monthly Meeting of the Denomination of People called Quakers, praying that they and their successors in office may be authorized and empowered to sell certain Real Estate therein described.*

February 16, 1831.

*Resolved*, That for the reasons set forth in said petition, the said overseers and their successors in office, be, and they are hereby authorized and empowered to sell at public auction, or otherwise, at any time within one year from the passing of this resolve (they giving due notice thereof in some newspaper printed in the county of Barnstable, ten days at least before said sale) all that real estate devised by Joseph Wing, late of said Sandwich, deceased, by his last will, to the overseers above named, in trust

for the purposes set forth in said will, and to make and execute valid and proper deeds for the same.

*Provided, however,* That the money arising from said sale shall be put at interest by said overseers, on mortgages of real estate of double the value of the money lent in each case, and the income thereof appropriated to the purposes designated by said will.

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### CHAP. XLIII.

#### *Resolve relating to Bounty Lands.*

February 18, 1831.

The joint committee on public lands, to whom was referred so much of the message of His Excellency the Governor as relates to public lands, having had under consideration the subject relating to bounty lands for the soldiers of the revolutionary war, ask leave to report the following resolve.

JAMES FOWLER, *Chairman.*

*Resolved,* That the land agent be, and he is hereby authorized to convey, by good and sufficient deeds, to the soldiers of the revolutionary war, of the class named in the resolve passed 18th February, 1829, 200 acres of land to each soldier, his heirs or assigns, from any of the lots not yet taken up in the township called Marshell, in township No. 4, 2d range in the county of Somerset north of Bingham's Kennebec purchase, or in township No. 2, 7th range in the county of Penobscot west of the monument, without reserving intermediate lots, or being confined in the number of lots to be taken, any thing contained in the proviso of said resolve of the 18th February, in the year of our Lord one thousand eight hundred and twenty nine, to the contrary notwithstanding.

## 488 RECORDS—DEAF AND DUMB CHILD.

### CHAP. XLIV.

*Resolve to confirm the Records of the Town of Springfield.*

February 18, 1831.

On the petition of the selectmen of the town of Springfield, representing that the records of said town, in the year one thousand eight hundred and twenty nine, were not perfected, by reason of the sickness and death of Edward Pynchon, clerk of said town, in that year,

*Resolved*, That the doings of said inhabitants, in town meeting, during the year aforesaid, are hereby confirmed, and made valid, to the same effect as though the said Edward Pynchon, in his capacity of town clerk, had fully recorded and completed the same.

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### CHAP. XLV.

*Resolve for the support of a Deaf and Dumb Child at the Asylum at Hartford.*

February 21, 1831.

*Resolved*, That Nathan P. Morse, jr., of Gloucester, be placed upon the list of persons supported by this Commonwealth, at the Deaf and Dumb Asylum at Hartford, agreeably to the provisions of the resolves providing for the support of a certain number of deaf and dumb persons at the expense of the Commonwealth.

## TRUST. OF SCHOOL FUND—ISAAC HOBBS. 489

### CHAP. XLVI.

*Resolve on the Petition of the Trustees of the School Fund in the Town of Hopkinton.*

February 21, 1831.

*Resolved*, That for the reasons set forth in the petition of the Trustees of the School Fund in the town of Hopkinton, in the county of Middlesex, said board of Trustees, as agents of said town, be, and they hereby are authorized and empowered to sell and convey, in fee simple, one acre and twenty rods of the eastern part of the training field in said town, which now lies useless, and to apply the proceeds of such sale to the use of schools in said town of Hopkinton :

*Provided*, That said board shall in all respects, in the sale of said land, in the investment of the proceeds, and in the appropriation of the income, comply with the requisitions contained in the third section of an act passed on the seventeenth day of June, 1820, entitled " An Act to authorize the sale of School Lands in the Town of Hopkinton."

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### CHAP. XLVII.

*Resolve on Petition of Isaac Hobbs.*

February 21, 1831.

*Resolved*, That the land agent be, and he hereby is authorized to convey, by a good and sufficient deed, to Isaac Hobbs, his heirs and assigns, two hundred acres of land, on or near the military road in the State of Maine, either in township No. 2 of the 3d range, or in letter A of the 2d range, to be surveyed under the direction of said agent, in such manner as will be least in-

490 D. FELLOWS, jr.—TOWN OF CHILMARK.

jurious to the adjoining land and be most for the interest of said Hobbs.

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CHAP. XLVIII.

*Resolve on the Petition of Daniel Fellows, jr.*

February 21, 1831.

On the petition of Daniel Fellows, jr., guardian, Peter Beliar and Abraham Brown, overseers of the Chappaquidic Indians, praying that provision be made by the Commonwealth for the support of one Polly Madison, an Indian of said Chappaquidic tribe ;

*Resolved*, That there be allowed and paid out of the treasury of this Commonwealth to Daniel Fellows, jr., the sum of two dollars per week for support of the above named Polly for the term of one year, should she live so long, said year to commence on the fifteenth day of October, 1830 : and His Excellency the Governor, with the advice of the Council, is hereby authorized and requested to draw his warrant accordingly.

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CHAP. XLIX.

*A Resolve in relation to a Survey of the Town of Chilmark.*

February 22, 1831.

*Resolved*, That the surveyor appointed by the governor, under a "resolve authorizing the governor, by and with the advice of the council, to appoint a surveyor to make a general survey of the Commonwealth," passed March 3, A. D. 1830, is authorized and directed to make, or cause to be made, such a survey of certain

islands within the town of Chilmark, called the Elizabeth Islands and Nomans Land, and such a return of said survey as towns are required to make, by a resolve passed March 1, A. D. 1830, "requiring towns to make surveys of their territory and return a plan of the same into the secretary's office": and that the said town of Chilmark be relieved from the obligation imposed upon it, to survey said islands by the last named resolve.

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## CHAP. L.

*To the Honorable Senate, and  
House of Representatives.*

In compliance with a request officially communicated to me by His Excellency the Governor of Maine, pursuant to a resolve of the legislature of the State, I herewith transmit a copy of an act, which proposes a modification of the terms and conditions of the "Act of Separation," so far as to permit an exercise of legislation by that government over the subject of ministerial and school lands within its territorial jurisdiction, and granted or reserved to those purposes before the separation; and I respectfully recommend your favorable consideration of the request, that this Commonwealth would accede to the modification, with the restrictions and upon the conditions expressed in the act of the legislature of Maine.

LEVI LINCOLN.

*Council Chamber, February 25, 1831.*

CHAP. LI.

*Resolve on the Petition of Samuel F. Arnold.*

February 25, 1831.

On the petition of Samuel F. Arnold, praying that he may be reimbursed for expenses incurred by the loss of his left hand, while in the discharge of militia duty under the command of captain Joel Fay, on the thirtieth day of September last, in the town of Sutton; and that a pension be granted for his relief hereafter;

*Resolved*, That there be allowed and paid out of the treasury of this Commonwealth to Samuel F. Arnold, the sum of one hundred dollars for the reason above set forth, and the further sum of fifty dollars annually, for the term of three years from the passage of this resolve, should he live so long, and His Excellency the Governor, with the advice of the Council, is hereby authorized and requested to draw his warrant accordingly.

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CHAP. LII.

*Resolve on Petition of Theodore Stone.*

February 26, 1831.

On the Petition of Theodore Stone of Douglas, in the county of Worcester, mason, in his capacity of guardian of Mary Ann Taft and Olive Taft, minors under the age of twenty one years, children of Noah Taft, late of said Douglas, deceased, and with others, heirs at law of Joseph Taft, late of Uxbridge, in said county, deceased;

*Resolved*, for reasons in said petition set forth, that the said Theodore Stone as guardian as aforesaid, be, and he hereby is authorized and empowered to make, sign, seal and deliver, and duly acknowledge deeds of

release and quit claim to the premises in said petition described; (being certain tracts of land situated in said Uxbridge, formerly in possession of John Capron) to Josiah Chapin of Providence, in the county of Providence, and state of Rhode Island and Providence Plantations, merchant.

*Provided always*, that before the said Theodore Stone, as such guardian, shall execute deeds pursuant to the authority hereby given, he shall make and execute, in due form of law, a bond with sufficient surety or sureties (to the acceptance of the Judge of Probate of the county of Worcester) to the said Judge, in such penalty as the Judge may require, with condition that the said guardian shall well and truly account for such sums as he may receive as the consideration for the relinquishment of said minors right, title, and interest in and to the premises afore described, and which condition shall be in the like form which is required by law, and to the same effect as when guardians are empowered by the Supreme Judicial Court to make sale of the real estate of minors.

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#### CHAP. LIII.

*Resolve on the Petition of Relief Withington, praying authority to sell Real Estate of minor children of whom she is guardian.*

March 1, 1831.

*Resolved*, for the reasons set forth in said petition, that Relief Withington of Dorchester in the county of Norfolk, guardian of Elizabeth Withington, Noah Withington, John Withington and Hannah Withington, minor children and part of the heirs of Noah Withington late of said Dorchester, husbandman, deceased, be and she is hereby authorized and empowered to sell at public sale, and pass deeds to convey, all the right, title and estate of said minor children, in and to so much of



the land whereof the said Noah Withington died seized and possessed, as will produce the sum of five hundred and ninety dollars for the payment of the just debts which the said deceased owed at the time of his death, and incidental charges; *Provided, however,* That the said Relief first give bonds to the Judge of Probate for said county of Norfolk, take the oath, and comply with all the other requisitions now by law required in the sale of real estate by executors and administrators.

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## CHAP. LIV.

*Resolve to extend the period in which Towns are required to make and return the surveys of their respective territories into the Secretary's Office.*

March 1, 1831.

*Resolved,* That the period fixed by resolves, passed on the first day of March last, for the city of Boston, and the several towns and districts within this Commonwealth, to lodge in the secretary's office the plans therein provided for, be extended to the first day of November next ensuing.

And be it further *Resolved,* That in lieu of the penalty provided by said resolves for a neglect to lodge said plans in the secretary's office within the period therein provided, the inhabitants of the city of Boston, or any of the towns or districts aforesaid, which shall neglect to take and lodge in the secretary's office the plans required as aforesaid, on or before the said first day of November next, shall forfeit and pay to the use of the Commonwealth the sum of one hundred and fifty dollars, which sum shall be added to such delinquent town or district's proportion of the State tax, which may be granted next after the first day of January, in the year of our Lord one thousand eight hundred and thirty-two.

## CHAP. LV.

*To the Honorable Senate, and  
House of Representatives.*

I lay before you a communication from the Executive of Ohio, covering a resolution of the General Assembly of that State, declaring, "that it is premature and inexpedient to express any opinion, whether the appropriation of money by the general government in aid of the colonization society, be, or be not constitutional," accompanied with a request, that this expression of opinion may be submitted to the notice of the Legislatures of the respective States. These proceedings appear to have been induced by a report and resolutions originally adopted by the Legislature of Georgia, the subject of which has heretofore been repeatedly presented to the consideration of the government of this Commonwealth, in communications from several of the States.

LEVI LINCOLN.

*Council Chamber, March 3, 1831.*

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## CHAP. LVI.

*Resolve providing for the Survey of Unincorporated Grants  
of Land within this Commonwealth.*

March 3, 1831.

*Resolved*, That the surveyor appointed by the governor and council, under the resolves of March 3d, 1830, to make a general survey of this Commonwealth, be, and he is hereby authorized and directed, to make or cause to be made such an examination and survey of any or all of the several unincorporated grants and tracts of land, and Indian reservations within this Commonwealth, as may be necessary in order to make a complete and perfect map of the Commonwealth.

## CHAP LVII.

*Resolve in favor of the Town of Petersham.*

March 5, 1831.

*Resolved*, That there be allowed and paid out of the public treasury, to the town of Petersham, the sum of ten dollars and eighty cents, being the amount due to said town for the support of State paupers, to the 28th of February 1830, and His Excellency the Governor is hereby authorized to draw his warrant accordingly.

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## CHAP. LVIII.

*Resolve in favor of the Town of Winchendon.*

March 5, 1831.

*Resolved*, That there be allowed and paid out of the public treasury, to the town of Winchendon, the sum of forty-two dollars and forty cents, being the amount due to said town for the support of State paupers, to the first day of May 1830: and His Excellency the Governor is hereby authorized to draw his warrant accordingly.

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## CHAP. LIX.

*Resolve to pay for making Indices and Duplicate Copies of Journals of the Senate.*

March 5, 1831.

*Resolved by the Senate and House of Representatives in General Court assembled*, That there be al-

lowed and paid out of the treasury of the Commonwealth to Charles Calhoun, Clerk of the Senate, for his labor and service in completing indexes to the journals of the Senate, from the adoption of the constitution, and duplicate copies of the same, four dollars for every day during which he has been employed in this service during the recess of the General Court; and His Excellency the Governor, by and with the advice of the Council, is hereby authorized and requested to draw his warrant accordingly, for an amount not exceeding, in the whole, the sum of seven hundred and four dollars.

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## CHAP. LX.

*Resolve on the Petition of Jonathan Messinger.*

March 7, 1831.

*Resolved*, That Artemas Stanley Messinger, the son of Jonathan Messinger of Canton in the county of Norfolk, be placed upon the list of pupils supported by this Commonwealth, at the American Asylum for the education of the deaf and dumb, at Hartford, agreeably to the provisions of the resolves heretofore passed in relation to State beneficiaries.

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## CHAP. LXI.

*Resolve for submitting to the People a proposed Article of Amendment to the Constitution.*

March 7, 1831.

Whereas the specific article of amendment, hereafter recited, was proposed in the last General Court, as an amendment to the Constitution of this Commonwealth,

and was agreed to by a majority of the Senators, and two thirds of the House of Representatives present and voting thereon, and was thereupon entered upon the journals of the two houses, with the yeas and nays taken thereon, and also referred to the present General Court, and published, as by the said constitution is required; and the same proposed amendment having been agreed to by a majority of the Senators, and two thirds of the House of Representatives, of the present General Court, present and voting thereon, it has become the duty of this General Court to submit the said proposed amendment to the People, in order that, if the said proposed amendment shall be approved and ratified by a majority of the qualified voters, voting thereon, at meetings legally warned and holden for that purpose, the same may become a part of the Constitution of this Commonwealth.

#### ARTICLE OF AMENDMENT.

“The political year shall begin on the first Wednesday of January, instead of the last Wednesday of May, and the General Court shall assemble every year, on the said first Wednesday of January, and shall proceed at that session to make all the elections, and do all the other acts, which are by the Constitution required to be made and done at the session which has heretofore commenced on the last Wednesday of May. And the General Court shall be dissolved on the day next preceding the first Wednesday of January, without any proclamation or other act of the governor. But nothing herein contained shall prevent the General Court from assembling at such other times as they shall judge necessary, or when called together by the governor. The governor, lieutenant governor, and counsellors, shall also hold their respective offices for one year next following the first Wednesday of January, and until others are chosen and qualified in their stead.

The meeting for the choice of governor, lieutenant governor, senators, and representatives, shall be held on the second Monday of November in every year; but meetings may be adjourned if necessary, for the choice of representatives, to the next day, and again to the next

succeeding day, but no further. But in case a second meeting shall be necessary for the choice of representatives, such meetings shall be held on the fourth Monday of the same month of November.

All the other provisions of the Constitution, respecting the elections, and proceedings of the members of the General Court, or of any other officers, or persons whatever, that have reference to the last Wednesday of May, as the commencement of the political year, shall be so far altered as to have like reference to the first Wednesday of January.

This article shall go into operation on the first day of October next following the day when the same shall be duly ratified and adopted as an amendment of the Constitution;—and the governor, lieutenant governor, counsellors, senators, representatives, and all other State officers, who are annually chosen, and who shall be chosen for the current year when the same shall go into operation, shall hold their respective offices until the first Wednesday of January then next following, and until others are chosen and qualified in their stead, and no longer. And the first election of the governor, lieutenant governor, senators, and representatives, to be had in virtue of this article, shall be had conformably thereunto, in the month of November following the day on which the same shall be in force and go into operation, pursuant to the foregoing provision.

All the provisions of the existing Constitution inconsistent with the provisions herein contained, are hereby wholly annulled."

*Resolved*, That the people shall be assembled for the purpose aforesaid, in the city of Boston, and the several towns and districts of this Commonwealth, respectively, in meetings to be legally warned and held on Wednesday, the eleventh day of May next; at which meetings, all the inhabitants qualified to vote for Senators or Representatives in the General Court, may give in their votes by ballot, for or against the said article of amendment. And the same officers shall preside in the said meetings, as in the meetings for the choice of Senators and Representatives, and shall in open meeting receive, sort, count, and declare the votes of the inhabitants for, and against the said article of amendment. And the said

## 500 TAXES GRANTED TO COUNTIES.

votes shall be recorded by the clerks of said city, towns and districts, and true returns thereof shall be made out, under the hands of the mayor and aldermen of the city of Boston, and the selectmen, or the major part of them, of the said towns and districts respectively, and of the clerks. And the said returns shall be sealed up, and delivered to the sheriff of the county within eight days after the said meetings, to be by him transmitted to the office of the secretary of the Commonwealth, on or before the fourth Wednesday of May next; or the said mayor and aldermen and selectmen respectively, shall themselves transmit the same to the said office on or before the day last mentioned, in order that the same may be laid before the General Court.

*Resolved*, That a printed copy of these resolves, including the said article of amendment, shall be attested by the secretary, and transmitted by him, as soon as may be, to the mayor and aldermen of the said city of Boston, and to the selectmen of the several towns and districts of this Commonwealth.

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### CHAP. LXII.

*Resolve granting Taxes for the several Counties.*

March 7, 1831.

Whereas the treasurers of the following counties have laid their accounts before the Legislature, which accounts have been examined and allowed, and the clerks of the County Commissioners for the said counties have exhibited estimates, made by said commissioners, of the necessary charges which may arise within their respective counties for the year ensuing, and of the sums necessary to discharge the debts of the said counties :

*Resolved*, That the sums annexed to the several counties in the following schedule be, and the same are hereby granted, as a tax for each county respectively,

to be apportioned, assessed, paid, collected, and applied, for the purposes aforesaid according to law, viz :

The county of Franklin, seven thousand five hundred dollars,	\$7,500
The county of Hampshire, seven thousand five hundred dollars,	7,500
The county of Hampden, eight thousand dollars,	8,000
The county of Worcester, sixteen thousand dollars,	16,000
The county of Plymouth, six thousand dollars,	6,000
The county of Barnstable, three thousand eight hundred dollars,	3,800
The county of Norfolk, thirteen thousand dollars,	13,000
The county of Berkshire, eight thousand dollars,	8,000
The county of Duke's County, six hundred and fifty dollars,	650
The county of Middlesex, thirteen thousand dollars,	13,000
The county of Essex, thirty thousand dollars,	30,000
The county of Bristol, twelve thousand dollars,	12,000

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### CHAP. LXIII.

#### *Resolve respecting the Organization of the Militia.*

March 8, 1831.

*Resolved*, By the Senate and House of Representatives, that the senators of this Commonwealth, in the Congress of the United States, be instructed, and the representatives requested, to use their exertions to procure the passage of a law, for the more perfect organization of the militia of the several States.

*Resolved*, That His Excellency the Governor be requested to transmit copies of these resolutions to the senators and representatives of this Commonwealth, in



Congress, and also to the Governors of the other States, in order that the same may be submitted to the legislatures thereof, for their consideration.

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#### CHAP. LXIV.

*Resolve for furnishing the Courts in the County of Barnstable, with the Laws of the Commonwealth, and Reports of the Supreme Judicial Court.*

March 9, 1831.

*Resolved*, That the Secretary of the Commonwealth be authorized and directed to deliver to the Clerk of the Courts in the county of Barnstable, one set of the reports of decisions of the Supreme Judicial Court, or as many volumes as there are in a set, for the use of said Courts, and also to said clerk and the register of the Court of Probate in said county, each one set of the general and special laws of the Commonwealth, and one copy of the charters and laws of the colony and province of Massachusetts Bay, for the use of said courts respectively.

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#### CHAP. LXV.

*A Resolve for paying the Commissioners, appointed to inquire into the condition of Banks.*

March 9, 1831.

*Resolved*, That there be paid out of the treasury of this Commonwealth, to James Savage the sum of seventy six dollars, to John Dorr the sum of seventy six dollars, to Henry A. S. Dearborn the sum of ninety seven dollars,

to John Wyles the sum of twenty four dollars, to Eliphalet Williams the sum of nineteen dollars and fifty cents, to Samuel Partridge the sum of twenty one dollars, to Charles P. Phelps the sum of thirty dollars and fifty cents, to William Whitaker the sum of thirty one dollars, to William Cobb the sum of thirty two dollars and fifty cents, to Oliver Holden the sum of twenty one dollars, to Richard D. Harris the sum of twenty one dollars, to Luke Fiske the sum of twenty one dollars, to Royal Makepeace the sum of eighteen dollars, to John Ruggles the sum of nineteen dollars and fifty cents, to Royal Turner the sum of twenty four dollars, to Seth Sprague, jr. the sum of seven dollars, to James C. Doane the sum of eleven dollars and fifty cents, to Thomas A. Greene the sum of twenty nine dollars, to Elisha P. Ferring the sum of sixteen dollars, to James Macy the sum of sixteen dollars, to Barker Burnell the sum of thirty dollars and fifty cents, to Elisha Pope the sum of eighteen dollars and fifty cents, to Henry Crocker the sum of twenty dollars, to Aaron Hobart the sum of fifty eight dollars and fifty cents, to James Howland, 2d, the sum of fifty seven dollars, to Elkanah Briggs the sum of fifty seven dollars, to John C. Gray the sum of sixty two dollars and fifty cents, to Samuel Mixter the sum of fifty four dollars, to Otis Corbett the sum of forty six dollars and fifty cents, to Thomas Motley the sum of one hundred and thirty two dollars, to Jeremiah Nelson the sum of one hundred and twenty dollars, to William B. Breed the sum of one hundred and twenty nine dollars, to Nathaniel P. Denny the sum of thirty nine dollars, to Joshua Frost the sum of nineteen dollars, to Caleb Rice the sum of nineteen dollars, to James Fowler the sum of twenty one dollars and fifty cents, to William P. Walker the sum of twelve dollars and fifty cents, to Edward A. Newton the sum of twelve dollars and fifty cents, in full for their services and expenses as commissioners, appointed under a resolve of the legislature, passed June 7th, eighteen hundred and thirty, to inquire into the condition of banks: And the Governor, by and with the advice and consent of the Council, be, and he is hereby authorized to draw his warrant on the treasury for the above mentioned sums.

## CHAP. LXVI.

*Resolve in favor of Francis Lawrence.*

March 9, 1831.

On the petition of Francis Lawrence, praying for remuneration for services rendered at the State Prison, A. D. one thousand eight hundred and twenty four, as overseer in the stone cutting department ;

*Resolved*, That there be allowed and paid out of the treasury of this Commonwealth, to Francis Lawrence, the sum of one hundred and fifteen dollars and fifty seven cents, in full for all claims on the Commonwealth for services above set forth, together with a balance due him for board at that period ; and His Excellency the Governor, with advice of the Council, is hereby authorized and requested to draw his warrant accordingly.

## CHAP. LXVII.

*To the Honorable Senate and  
House of Representatives.*

I have the high gratification of informing you, that I have received, this morning, a warrant drawn by the secretary of the treasury of the United States upon the treasurer, accompanied with his draft upon the Branch Bank of the United States at Boston, for the sum of *four hundred and nineteen thousand seven hundred and forty eight dollars and twenty six cents*, for the use of the Commonwealth, under certain decisions of the secretary of war, dated respectively the 19th of January, and the 26th of February last, by virtue of the act of Congress of the 31st of May 1830, providing for the settlement of the Massachusetts claim. As I am not yet favored with a copy of these decisions, the grounds of disallowance

## HOWELL POWELL—FRANKLIN DEXTER. 505

of any portion of the amount within the sum of the appropriation made by Congress, is not precisely known.

It would be doing great violence to my own feelings, not to avail myself of the occasion to express the entire conviction which a long and most frequent correspondence on this subject with the honorable John Davis, the agent of the State, has produced, of his devoted attention, and able, assiduous and efficient services in the investigation, both of the principles and items of the account, and in the maintenance, by the exhibition of proofs and arguments, of the rights and interests of the State. And it is equally a tribute of justice, to acknowledge the respectful and candid consideration and regard, which his representations have received from the secretary of war.

Whatever further inquiry and examination may be allowed, in the prosecution of the residue of the claim, will be the subject of continued attention on the part of the executive.

As by the terms of the act of separation of the State of Maine, one third of the money obtained on account of the claim is due to that government, some order of the legislature will be required for the payment of the share to which Maine may be entitled from the amount now received.

LEVI LINCOLN.

*Council Chamber, March 10, 1831.*

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### CHAP. LXVIII.

*Resolve on the Petition of Howell Powell and Franklin Dexter, authorizing the Executor of Marshall B. Spring to execute a Deed.*

March 10, 1831.

On the petition of Howell Powell of Watertown, in the county of Middlesex, and Franklin Dexter of Boston, in the county of Suffolk, praying that Franklin Dexter, ex-

## 506 HOWELL POWELL—FRANKLIN DEXTER.

ecutor of Marshall B. Spring, late of Watertown, in said county, may be authorized to make a conveyance to Levi Lewis of Lancaster, in the county of Worcester, trader, of a certain tract of land situate in Lancaster, in the county of Worcester, containing nineteen acres and one hundred and four rods, bounded as follows, to wit : beginning at a stake and stones at the south-west corner of land formerly owned by John Robbins ; thence south fifty four degrees east, eighty nine rods, to a white oak tree ; thence north forty five degrees east, forty five rods to a stake and stones ; thence north sixty seven degrees west, one hundred and six rods to a stake and stones ; thence south seventeen degrees west, sixteen rods to the first named corner : also about twelve acres of land, being a part of twenty four acres of land deeded by Aaron Johnson to Luther Johnson by deed dated February 17, A.D. 1819, reference being had to said deed for the particular bounds of both said tracts of land, including all the buildings on the same ; being the same estate conveyed in mortgage to Levi Lewis by Luther Johnson, by deed dated March 21, A.D. 1820, which the said Howell Powell, being an alien and unable to hold real estate, had caused to be conveyed to said Marshall B. Spring, under a written agreement that he, the said Spring, should convey to such persons as the said Howell Powell should appoint : but that said Marshall B. Spring had died without conveying the same.

*Resolved,* For reasons set forth in said petition, that the said Franklin Dexter, in his said capacity, be, and he hereby is authorized and empowered, to make and execute a sufficient deed of release and quit claim of said real estate, to said Levi Lewis in fee simple.

CHAP. LXIX.

*Resolve to authorize William Minot and Henry B. Rogers, Trustees under the Will of Daniel D. Rogers, to mortgage certain Real Estate in the City of Boston.*

March 10, 1831.

Whereas it appears from the petition of William Minot and Henry B. Rogers, trustees under the will of Daniel D. Rogers, late of Boston, in the county of Suffolk, deceased, that they hold under said will a certain lot of land in Washington street, in said Boston, measuring twenty feet on said street (being the same estate which Thomas Greenleaf conveyed to John Warren by deed, bearing date February 17, A.D. 1797, recorded with Suffolk deeds, Lib. 185, folio 163) in trust for the use of Hannah Rogers, daughter of said testator, during her natural life; and in case of her decease without issue, in further trust for the other children of said testator: and whereas it further appears from said petition, that the buildings on said land are very old and decayed, and incapable of being repaired without great expense, and that said trustees have not money or personal estate to enable them to rebuild said buildings. therefore

*Resolved*, That said William Minot and Henry B. Rogers, trustess as aforesaid, be, and they are hereby authorized and empowered to rebuild the houses on said lot of land, and for that purpose to hire a sum of money, not exceeding eight thousand dollars in the whole, on a mortgage of said lot of land, and to convey said lot of land in mortgage, by a deed duly executed, as security for the repayment of said sum, with interest, and to renew said loan and mortgage so often as may be necessary: and said lot of land, with the buildings thereon, shall be held and bound for the repayment of the sum of money so borrowed, with the interest thereon, until the same shall be repaid by said Hannah or the other children of said testator, their heirs or assigns.

And in case the said Hannah shall die without issue, the said lot of land, with the buildings thereon, shall

stand and be chargeable to the heirs or legal assigns of said Hannah, with one half of all the interest which shall have accrued and become payable on said loan.

*Resolved*, That said William Minot and Henry B. Rogers, trustees as aforesaid, shall, within one year after the buildings on said land are completed, exhibit to the judge of probate for the county of Suffolk, for his allowance, a true, full and just account of all the costs and charges of rebuilding said houses, and the amount allowed by said judge shall be the sum for which said lot of land shall be bound and chargeable.

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#### CHAP. LXX.

*Resolve on the Petition of Francis Barnard, Administrator.*

March 10, 1831.

*Resolved*, For reasons set forth in said petition, that Francis Barnard of Marlborough, in the county of Middlesex, administrator of the estate of Jonas Temple, late of said Marlborough, deceased, be, and he hereby is authorized and empowered, at any time within three months after the passing of this resolve, to make and file in the probate office, in said county of Middlesex, his affidavit, setting forth the time, and place, and manner in which he gave notice of the sale of the real estate of said deceased, pursuant to a license of the circuit court of common pleas, holden within and for said county on the second Monday of June, A.D. 1819: and said affidavit, being so filed, shall be evidence of said notice, and of the time, place, and manner in which the same was given, as effectually as if such affidavit had been made and filed in said probate office within the time prescribed by law.

the sum of one hundred dollars, in full for all claims he may have against the Commonwealth for services above set forth; and His Excellency the Governor, with the advice of Council, is hereby authorized and requested to draw his warrant accordingly.

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## CHAP. LXXV.

*Resolve in relation to a Fire Proof Edifice.*

March 10, 1831.

*Resolved*, That His Excellency the Governor, by and with the advice and consent of the Council, be, and he hereby is authorized, to cause a Fire Proof Edifice to be erected on the northern front of the State House, which shall contain a sufficient number of apartments, best calculated for the safe keeping of the Records and Papers of the Commonwealth, in conformity to such plan as he shall think proper; *provided*, that the same can be completely executed by contract, for a sum not exceeding seven thousand dollars; and that the Governor be, and he hereby is authorized, to draw his warrant on the Treasury for such sum as may be requisite for defraying the expense of the aforesaid work, not exceeding seven thousand dollars.



## 512 RESOLVES ON GEORGIA RESOLUTIONS.

### CHAP. LXXVI.

*Resolves on the subject of the Colonial Records in England.*

March 11, 1831.

*Resolved*, That the Senators and Representatives in Congress from this State be requested to use their exertions to procure the passage of an Act to provide for obtaining, from the various offices in England, copies of the papers and documents relating to the early history of this country.

*Resolved*, That His Excellency the Governor be, and he is hereby requested, to transmit a copy of the foregoing resolution to each of the Senators and Representatives in Congress from this Commonwealth.

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### CHAP. LXXVII.

*Resolves respecting certain Resolutions of the State of Georgia.*

March 14, 1831.

Whereas certain late proceedings of the Government of Georgia are of a nature to create very serious apprehensions in the minds of the good people of the Union respecting the integrity and permanence of our civil institutions, and,

Whereas it is the right and duty of the State Governments and of the People, while they carefully avoid any attempt to influence the Courts of Justice in any case, that may be pending before them, to express their opinions with freedom upon the conduct of all their po-

## RESOLVES ON GEORGIA RESOLUTIONS. 513

litical agents, and upon the general condition of the country, whenever the occasion may appear to require, —therefore

1. *Resolved*, By the Senate and House of Representatives, that the Federal Constitution, the laws of the United States made in pursuance thereof, and all treaties made under the authority of the United States, are the supreme law of the land; and that the Judges in every State are bound thereby, any thing in the Constitution or laws of any State to the contrary notwithstanding.

2. *Resolved*. That the judicial power of the United States extends to all cases in law and equity, arising under the Constitution, the laws of the United States and the treaties made under their authority; and that no State can rightfully enjoin upon its executive officers to disregard or resist by force any process or mandate which may be served upon it in such cases in due form of law, by authority of the Courts of the United States.

3. *Resolved*, That it is the duty of the President of the United States to take care that the Constitution, the Laws of the United States, and the treaties made under their authority are faithfully executed, any thing in the Constitution, laws or acts of any State to the contrary notwithstanding.

4. *Resolved*, That the Senators and Representatives of the State of Massachusetts in Congress, be, and they hereby are requested and instructed to use all the means in their power to preserve inviolate the public faith of the country, and to sustain the rightful authority of the Government of the United States in all its departments.

5. *Resolved*, That His Excellency the Governor be, and he hereby is requested, to transmit a copy of these resolutions to the Governors of all the other States, to the end, that they may be submitted to the Legislatures of the same for their consideration; and also to the Senators and Representatives of the State in Congress.

CHAP. LXXVIII.

*A Resolve on the Petition of the Warden of the State Prison for a grant of money in aid of that Institution.*

March 14, 1831.

*Resolved*, That for reasons set forth in said petition, there be allowed and paid, out of the Treasury of the Commonwealth, for the use of the State Prison, the sum of eight thousand dollars; and His Excellency the Governor is hereby authorized and requested, by and with advice of Council, to draw his warrant on the Treasury for that sum.

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CHAP. LXXIX.

*Resolve in favor of the Trustees of the Massachusetts Agricultural Society.*

March 14, 1831.

*Resolved*, That there be allowed and paid out of the public treasury to the Trustees of the Massachusetts Agricultural Society, the sum of six hundred dollars, to defray expenses incurred for the use of the Botanic Garden at Cambridge, in pursuance of a resolve passed March 9, 1830, and His Excellency the Governor is requested to draw his warrant accordingly.

## CHAP. LXXX.

*Resolve providing for the publishment of a Manual respecting the growth of the Mulberry Tree, with directions for the Culture of Silk.*

March 15, 1831.

*Resolved*, That His Excellency the Governor, be requested to cause to be compiled and printed a concise manual, to contain the best information, respecting the growth of the Mulberry Tree, with suitable directions for the culture of Silk. And that this manual be distributed in suitable numbers to the city of Boston and every town in the Commonwealth. That to defray the expense thus incurred, he be authorized to draw his warrant on the Treasury for a sum not exceeding six hundred dollars.

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## CHAP. LXXXI.

*Resolve on the Petition of Nicholson B. Procter, Administrator.*

March 15, 1831.

*Resolved*, For the reasons set forth in said petition, that Nicholson B. Procter, of Marlborough, in the county of Middlesex, administrator with the will annexed, on the Estate of Barzillai Hayden, late of said Marlborough, deceased, be, and he is hereby authorized and empowered to file in the probate office, within said county, within four months from and after the passage of this resolve, an affidavit that he gave notice of the sale of certain real estate of said deceased, pursuant to a license of the Judge of Probate for said county of Middlesex; and such affidavit, being so filed, shall be evidence of

said notice, and of the time, place and manner in which the same was given, as effectually as if such affidavit had been made and filed in said probate office within the time prescribed by law.

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### CHAP. LXXXII.

*Resolve on the Petition of Turell Tufts, Administrator, &c. for permission to perpetuate Evidence of Notice of the sale of certain Real Estate.*

March 15, 1831.

*Resolved*, For reasons set forth in said petition, that Turell Tufts of Medford, in the county of Middlesex, administrator of the estate of Benjamin Tufts, late of said Medford, deceased, be, and he hereby is authorized, at any time within three months after the passing of this resolve, to make and file in the probate office of said county, his affidavit, setting forth the time, place and manner, in which he gave notice of the sale of certain real estate of said Benjamin Tufts, deceased, situate in said Medford, which the said Turell Tufts was licensed to sell by virtue of an order of the Honorable Judge of Probate of said county, for the payment of the just debts of the said deceased, dated the 11th April, A.D. 1827, and such affidavit being so filed, shall be evidence of the time, place and manner, in which such notice was given, and be as effectual for all purposes as if the same had been made and filed in said probate office within the time prescribed by law.

## CHAP. LXXXIII.

*Resolves respecting Public Lands.*

March 15, 1831.

*Resolved*, That the land agent of this Commonwealth, in conjunction with the land agent of the State of Maine, or such other person as may be appointed by that State for the purpose, be, and he hereby is authorized and empowered, to survey, lay out, and make, a suitable winter road, (or cause the same to be done) from the mouth of Metawamkeag, a branch of the Penobscot River, in a northerly direction, so as to strike the Aroostook River, on or near the line dividing the sixth and seventh ranges of townships, and pay for such portion of said road as passes over lands belonging to this Commonwealth, from the proceeds of the sales of lands, provided it does not exceed the sum of fifteen hundred dollars.

*Resolved*, That said agent, in conjunction with the agent authorized by the State of Maine for the purpose, be, and hereby is also authorized to survey, lay out, and make a winter road, (or cause the same to be done) from the village in Houlton Plantation, in a westerly direction, to intersect the road to the Aroostook River, at some point most convenient for travelling, and best for the interest of the States, and pay for such portion of said road as passes over the lands belonging to this Commonwealth, from the proceeds of the sales of land, provided it does not exceed the sum of five hundred dollars.

## CHAP. LXXXIV.

*Resolve in favor of the Town of Northbridge.*

March 16, 1831.

*Resolved*, That there be allowed and paid, out of the public treasury, to the town of Northbridge, the sum of one hundred and twenty two dollars and ten cents, the same being in discharge of the account of said town for support of State Paupers, to the 12th of February, 1831: and His Excellency the Governor is requested to draw his warrant accordingly.

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## CHAP. LXXXV.

*Resolve relating to the removal of the State Arsenal, in the City of Boston.*

March 16, 1831.

- *Resolved*, That His Excellency the Governor be, and he hereby is authorized to appoint, by and with the advice of Council, a Board of three Commissioners, with full authority in behalf of the Commonwealth, to make an agreement with the City Government of Boston, or their agents, duly authorized for this purpose, providing for the removal of the State Arsenal in said City, and the buildings connected therewith, and for the erection, instead thereof, in some other suitable place, of such arsenal, or other buildings, as the public service may require: or for the payment, by said city, of a reasonable indemnity to the State for the removal thereof: and for the release of all the right which the Commonwealth may have, to use and occupy the land on which the same now stand, upon such terms and conditions as may be consistent with the public interests, and just and equitable under all the circumstances of the case:

## RESOLVE TO PAY STATE OF MAINE. 519

and with full authority to make and execute all deeds and contracts, and to do all other things requisite for carrying the said agreement into effect: *Provided, however,* That such agreement shall not be valid, nor shall any act be done in pursuance thereof, until the same shall have been approved by the Governor by and with the consent of Council.

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### CHAP. LXXXVI.

*Resolve relating to a payment to the State of Maine, on account of their portion of the Claim of the Commonwealth of Massachusetts against the United States.*

March 17, 1831.

*Resolved,* That the Treasurer of this Commonwealth be and he hereby is authorized and required to pay, to the State of Maine, one third part of the sum of four hundred and nineteen thousand seven hundred and forty-eight dollars and twenty-six cents, received from the United States on account of the Claim of Massachusetts for militia services rendered during the late war with Great Britain, first deducting, from said sum of four hundred and nineteen thousand seven hundred and forty-eight dollars and twenty-six cents, the expenses incurred by this Commonwealth in prosecuting said Claim, as nearly as said expenses can be estimated. And His Excellency the Governor, with advice of the Council, is hereby authorized and requested to draw his warrant on the Treasurer accordingly.



## CHAP. LXXXVII.

*Resolve confirming certain Records and Doings of the Mill Lane School District, in the town of Beverly.*

March 17, 1831.

On the petition of Ingalls Kittredge and others, a Committee of the Mill Lane School District in the town of Beverly, praying that certain records and doings of the said School District may be declared valid :

*Resolved*, That, for reasons set forth in said petition, the proceedings and doings of the said Mill Lane School District, at their meetings held, on the eleventh day of May, and on the tenth day of June, in the year one thousand eight hundred and thirty, be and the same are hereby confirmed, and made valid in law, in all respects, notwithstanding any irregularity that may have occurred in the manner of calling the said meetings, *Provided*, That no suit or suits, now pending before any Justice of the Peace, or in any Judicial Court of this Commonwealth, shall be affected by the passing of this resolve.

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## CHAP. LXXXVIII.

*Resolve on the Petition of Seth Ames.*

March 17, 1831.

*Resolved*, That for reasons set forth in said petition, the said Seth Ames be, and he hereby is authorized and empowered, as Administrator on the goods and estate of Thomas Aldritt, an alien, lately resident at Lowell in the county of Middlesex, to make sale of any or all of the lands, tenements or hereditaments, of which the said Thomas Aldritt died seized or possessed, within this Commonwealth, he the said Ames first having obtained license therefor, from some Court of competent authority, which license the said Courts are hereby sev-

erally authorized to grant to the said Seth Ames, for the same causes and upon the same terms as if the said Thomas Aldritt had been a citizen of the United States : and all the right, title, interest, claim, and estate of the Commonwealth, in and to all the real estate aforesaid, which the said Thomas Aldritt had purchased in his lifetime is hereby released to the said Seth Ames, as administrator as aforesaid.

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## CHAP. LXXXIX.

*Resolve in favor of Joseph Sewall and George W. Coffin, Agents.*

March 17, 1831.

*Resolved*, That Joseph Sewall and George W. Coffin, Agents for selling the Public Lands in the State of Maine, be, and they are hereby discharged from the payment of the sum of thirty-four thousand two hundred and fifty-three dollars and thirteen cents, specified in the account presented to the General Court the second day of February A.D. 1831 : and the Governor, with the advice of Council, is hereby requested to draw his warrant, in favor of George W. Coffin, for the sum of five hundred and twenty-eight dollars and thirty-one cents, in full discharge of the balance of said account.

## CHAP. XC.

*Resolve on the Petition of Benjamin Drew.*

March 17, 1831.

On the petition of Benjamin Drew, Coroner for the county of Plymouth, setting forth that he examined and caused to be decently buried the body of a stranger found on Plymouth Beach on the 14th day of August last, and that, by a defect in the existing laws, the Treasurer of the Commonwealth does not feel authorized to allow said Drew's claim for services thus rendered :

*Resolved*, That there be allowed and paid, out of the Treasury of this Commonwealth, to Benjamin Drew, the sum of nine dollars and forty-six cents, for reasons above set forth : and His Excellency the Governor, with the advice of the Council, is hereby authorized and requested to draw his warrant accordingly.

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## CHAP. XCI.

*Resolve to Pay the Chaplains.*

March 18, 1831.

*Resolved*, That there be allowed and paid, out of the Treasury of this Commonwealth, to the Rev. Howard Malcolm, Chaplain of the Senate, and to the Rev. Joseph Tuckerman, Chaplain of the House of Representatives, the sum of sixty dollars each, in consideration of their services in that capacity : and His Excellency the Governor is requested to draw his warrant on the Treasurer accordingly.

## CHAP. XCII.

*Resolve for appointing Commissioners to revise the existing laws in relation to Debtor and Creditor, and to provide for the equal distribution of the Estates of Insolvent Debtors.*

March 18, 1831.

*Resolved*, That His Excellency the Governor, with advice of the Council, appoint three suitable persons as Commissioners, to consider the expediency of providing by law for a more equal and equitable distribution of the estates of insolvent debtors, for the abolishing of imprisonment for debt in all proper cases, and for making such further revision in the existing laws touching debtor and creditor, as the said Commissioners may deem expedient and proper, and to report by bill or otherwise to the next General Court.

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## CHAP. XCIII.

*Resolve providing for the Pay of the Clerks.*

March 18, 1831.

*Resolved*, That there be paid out of the Treasury of this Commonwealth, to the Clerk of the Senate, eight dollars per day; to the Clerk of the House of Representatives, ten dollars per day; and to the assistant Clerk of the Senate, six dollars per day, for each and every day's attendance they have been, or may be employed, in that capacity, during the present session of the Legislature; and that there be further paid to the Clerk of the Senate, and the Clerk of the House of Representatives, one hundred dollars each, for copying the journals for the library, as required by the orders of the two branches of the Legislature; and His Excellency the Governor,

with the advice of Council, is requested to draw his warrant accordingly.

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CHAP. XCIV.

*Resolve in favor of William King.*

March 18, 1831.

*Resolved*, That there be allowed and paid, out of the Treasury of this Commonwealth, to William King (to be charged to the account of expenses incurred in prosecuting the claim against the United States,) whatever sum (if any) the Governor, with the advice of the Council, shall deem reasonable, for his agency in obtaining said claim; and His Excellency the Governor, with the advice of the Council, is authorized to draw his warrant on the Treasurer for any sum which they may deem reasonable; *Provided*, that the amount so paid shall not exceed, in any event, the sum of fifteen hundred dollars.

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CHAP. XCV.

*Resolve for paying Thomas A. Greene.*

March 18, 1831.

*Resolved*, That there be paid out of the treasury of this Commonwealth, to Thomas A. Greene, the sum of nine dollars, in full for his services and expenses as a Commissioner, appointed to inquire into the condition of the banks, under a resolve of the legislature of June last; and the Governor is authorized, by and with the advice and consent of the Council, to draw his warrant on the Treasurer for the above mentioned sum.

## CHAP. XCVI.

*Resolve respecting the Charity of Edward Hopkins.*

March 18, 1831.

*Resolved*, That there be allowed and paid, out of the Treasury of this Commonwealth, the sum of three hundred and fifty two dollars and sixty two and an half cents, said sum being equal to one half part of the amount of taxes collected in the town of Hopkinton, under the authority of the State, in the years one thousand eight hundred and twenty four, one thousand eight hundred and twenty nine, one thousand eight hundred and thirty, and to one quarter part of the amount of taxes collected by like authority, and in the same years, in the town of Upton; and that such payment be made to the trustees of the charity of Edward Hopkins.

*Be it further Resolved*, That there be allowed and paid, out of the Treasury of this Commonwealth, to the said trustees, in such years, and in such years only, when a tax shall be assessed by the authority of the State, one half part of the sum assessed and collected, annually, in the town of Hopkinton; and one quarter part of the sum assessed and collected, annually, in the town of Upton, in all future years; and that His Excellency the Governor, by and with the advice and consent of the Council, for the time and being, be, and he hereby is authorized and requested to draw warrants, from time to time, pursuant to this resolve: *Provided, always*, that no payment be made, or warrant drawn, until the said trustees shall have made and executed, in due form of law, a full and complete release of all claims and demands in law or equity, on this Commonwealth, and all claims and demands for rent against the tenants of lands, in the town of Hopkinton, and against the tenants of lands in Upton, whereof the said trustees claim to be lessors, or successors of lessors: and that such release be executed in duplicate, and one release deposited in the office of the Treasurer, and one in the office of the Secretary of the Commonwealth. *And provided, also*, That the sum of

money paid, in virtue of this resolve, shall never exceed, in any one year, the sum of two hundred and twenty two dollars and twenty two cents.

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## CHAP. XCVII.

*Resolve in favor of John V. Low.*

March 18, 1831.

*Resolved*, That there be allowed and paid, from the Treasury of this Commonwealth, to John V. Low, assistant messenger to the Governor and Council, two dollars per day, for each and every day he has been or may be employed in that capacity, during the present session of the Council; and the Governor, with the advice of Council, is authorized and requested to draw his warrant on the Treasurer accordingly.

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## CHAP. XCVIII.

*To the Honorable Senate, and  
House of Representatives.*

I herewith transmit copies of Resolutions of the Legislatures of the States of Connecticut and Vermont respectively, on the subject of certain proposed amendments of the Constitution of the United States, in reference to the election of President and Vice President, and the term of their continuance in office.

These resolutions express a dissent to the propositions of the legislatures of Missouri and Georgia, so to amend the Constitution as "to provide a uniform mode of electing the President and Vice President throughout the several States; and to give the people the privilege of voting directly for the President and Vice President

without the intervention of Electors ; and that the elections shall in no case whatever be submitted to the house of representatives of the United States." The Resolutions of the Legislature of Vermont further declare a non concurrence with the General Assembly of the State of Louisiana, in a proposition to amend the Constitution "so as to extend the term of office of President and Vice President to six years, and to render the President ineligible after the first term."

I also transmit copies of Resolutions of the General Assembly of the State of Louisiana, affirming and sustaining the constitutionality and expediency of the Tariff of 1828, and declaring that the State has suffered no injury therefrom, and that the same is harmless to the southern States.

These Documents were received by me during the recess, and are now laid before you in compliance with the requests, severally, which accompany the Resolutions.

LEVI LINCOLN.

*Council Chamber, January 10, 1831.*

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## CHAP. XCIX.

*To the Honorable Senate, and  
House of Representatives.*

I deeply regret the occasion to inform the Legislature, that Major General Cromwell Washburn, of the fifth division of Militia, has been constrained, by ill health, to tender a resignation of his office, which has been accepted, and he thereupon honorably discharged. By the Constitution, it now awaits the pleasure of the two branches to fill the vacancy in that command.

LEVI LINCOLN.

*Council Chamber, January 10, 1831.*

**Note.** The Messages of January 10 were omitted in course, and are therefore placed as the concluding Chapters.



## Commonwealth of Massachusetts.

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TREASURY OFFICE, FEBRUARY 9th, 1831.

THE Treasurer having examined and adjusted the accounts presented to him, asks leave to REPORT, That there is due to the several persons enumerated on the following Roll, the sums set against their names respectively, which, when allowed and paid, will be in full discharge of said accounts to the dates therein mentioned.

He asks leave further to Report, That an account was presented by Benjamin Drew, Coroner, for "*services as Coroner on the dead body of a man found on Plymouth Beach.*" The case not requiring an inquisition, and there being no provision by law for the payment of charges in such a case, the account is not allowed.

All which is respectfully submitted,

JOSEPH SEWALL, *Treasurer.*

*To the Honorable Senate, and  
House of Representatives.*

# PRINTERS' ACCOUNTS.

529

*ROLL of ACCOUNTS (No. 1,) Audited by the Treasurer of the Commonwealth, and reported February 9th, 1831.*

## PRINTERS.

Atwill & Turner, advertising Constitutional Amendments,	\$ 7 00
Allen, Phineas & Son, publishing Laws to Dec. 31, 1830, and Constitutional Amendments,	24 67
Atwill, Herman, advertising Constitutional Amendments,	7 00
Adams & Hudson, for newspapers to February 9th, 1831,	124 59
Beals & Homer, for newspapers supplied to February 9, 1831,	58 84
Ballard & Co., for newspapers and advertising to February 9, 1831,	128 97
Buckingham, Joseph T., for newspapers to February 9, 1831,	162 17
Badger & Porter, for newspapers to February 8th, 1831,	110 00
Boston Press, proprietors of, for papers to February 10, 1831,	28 67
Congdon, B. T., publishing Laws to December 31, 1830, and Constitutional Amendments,	25 00
Clapp, W. W., publishing Laws for 1830, and papers supplied to February 5, 1831,	61 07
Carter, Hendee & Babcock, for papers to February 12, 1831,	71 67
Danforth, Allen, publishing Laws to May, 1830, and Constitutional Amendments,	25 00
Danforth & Thurber, do. do. do.	25 00
Dutton & Wentworth, printing for Legislature,	916 85
do. do. Secretary,	306 86
do. do. Treasurer,	23 71
do. do. Adjutant General,	541 92
	<hr/> 1789 34

Eldridge, John B., publishing Laws for the year 1829—'30,	16 67
Farmer, Jedediah, publishing Laws for 1830, and Constitutional Amendments,	25 00
Foote & Brown, publishing Laws for 1830, and Constitutional Amendments and Proclamation,	29 66
Grout, Moses W., for publishing Laws to June 1830, and Constitutional Amendments,	25 00
Greene, Samuel D., advertising Amendments, and for newspapers to February 9, 1831.	24 00
Garrison & Knapp, for papers to February 12, 1831,	1 68
Hale, Nathan, for papers to February 9, 1831, and advertising,	138 52
Hill, F. S. for papers supplied to February 9, and 12, 1831, Galaxy and Commentator,	77 54
Ives, W. & S. B., publishing Laws to May 1, 1830, and Constitutional Amendments,	26 67
Judd, Sylvester, publishing Laws for the year 1829—'30,	16 66
Kingman, E., for papers to February 9, 1831,	63 96
Lindsay, B. & Son, publishing Constitutional Amendments,	8 33
Lummas, Aaron, advertising Amendments, and newspapers supplied to February 9, 1831;	16 11
Mann, H. & W. H., publishing Laws for 1830, and Constitutional Amendments,	24 67
Nichols, William, advertising Amendments, and for newspapers to February 12, 1831,	30 26
Palfrey, Warwick jr., publishing Laws 1 year to June 1, 1830, Constitutional Amendments, and printing and publishing Proclamation,	35 66
Phelps & Ingersoll, publishing Laws to December 31, 1830,	16 67
Rawson, Alonzo, publishing Laws for the year 1830,	16 67
Reed, David, for papers to February 9, 1831,	20 19
Russell, John B., for papers to February 12, 1831,	31 46
Stacy & Rogers, publishing Constitutional Amendments,	8 33
Snow, Josiah, publishing Laws for 1830,	16 67

# MISCELLANEOUS ACCOUNTS. 531

True & Greene, newspapers to February 9, 1831, and advertising Constitutional Amendments,	89 76
Thayer, A. W., publishing Laws to June 1, 1830,	16 67
Wheildon, W. W., publishing Laws to June, 1830,	16 66
Willis & Rand, newspapers to February 10, 1831,	35 60
	<hr/>
	\$3,528 06

## MISCELLANEOUS ACCOUNTS.

Adams, W. & G. W., repairs about the State House to January 31, 1831,	26 88
Allen, Andrew J., stationary for the Secretary, Boston, city of, repairs of buildings on Rainsford's Island to January 24, 1831,	11 57
Bradlee, Samuel & Son, hardware for repairs on State House to January 13, 1831,	478 20
Blaney, Henry, for repairs on State House to January 18, 1831,	21 72
Ballard & Prince, carpeting, &c. for ditto,	97 62
Burditt, James W., for stationary to January 17, 1831, viz :	121 83
Legislature,	230 32
Secretary,	48 84
Library,	12 46
Adjutant General,	13 21
	<hr/>
	304 83
Cartor & Hendee, Blank Books for Adjutant General,	188 50
Commissioners for examining Treasurer's Accounts, viz :	
Thomas Motley,	14 00
Robert Rantoul,	14 00
Samuel Austin, jr.,	14 00
	<hr/>
	42 00

## SHERIFFS.

French, Charles D., for copy of the Census,	5 00
Gore & Baker, painting, &c. in the State House,	112 16
Hilliard, Gray & Co., labelling military books for the Adjutant General,	12 37
Jones & Co., Execution for costs in the case of Sewall, Treasurer, <i>vs.</i> Jones & Co.,	71 29
Leverett & Johnson, penknives for Treasury Office,	2 00
Morse, Moses L. & Co., penknives for the Governor and Council,	7 00
Oliver, John, keeper of Rainsford's Island, for annual allowance, including wood,	104 44
Pollard, Thomas, repairing water closets,	193 29
Pickering, Octavius, for certified copy of opinion of S. J. Court in the case of Sewall, Treasurer, <i>vs.</i> Jones & Co.,	1 50
Snelling, Enoch H., for glazing in the State House,	51 80
Wheeler, John H., for repairs, &c. on the State House to January 18, 1831,	548 70
	<hr/>
	\$2,402 70

## SHERIFFS.

Bartlett, Bailey, Estate of, for returning votes,	9 10
Gardner, Uriah, for returning votes,	21 60
Hayward, Nathan, for returning votes,	13 34
Hoyt, Epaphras, for returning votes,	17 00
Lyman Joseph, for returning votes,	25 00
Leonard, Horatio, for returning votes,	28 30
Pease, Isaiah D., for returning votes,	17 00
Sprague, Joseph E., for returning votes,	15 30
Willard, Calvin, for returning votes,	10 50
	<hr/>
	\$157 14

## CORONERS.

Day, Jonathan, charges of Inquisition,	8 81
Harback, Thomas, charges of Inquisition,	7 73
Kempton, Ephraim, charges of Inquisition,	14 37
Kellog, John, charges of Inquisition,	12 40
Marshall, Luther, charges of Inquisition,	7 40
Needham, Thomas, charges of 4 Inquisitions,	29 60
Richardson, Henry, charges of Inquisition,	12 99
Snow, Prince, charges of 3 Inquisitions,	31 64
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	\$124 94

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AGGREGATE

Printers' Accounts,	\$3,528 06
Miscellaneous Accounts,	2,402 70
Sheriffs' Accounts,	157 14
Coroners' Accounts,	124 94
	<hr/>
Total.	\$6,212 84

## **Commonwealth of Massachusetts.**

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In the year of our Lord, one thousand, eight hundred,  
and thirty one.

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*Resolved*, That there be allowed and paid out of the public Treasury, to the several persons named in the foregoing Roll, the sums set against their names respectively, amounting in the whole to the sum of six thousand two hundred and twelve dollars and eighty four cents, the same being in full discharge of all the accounts and demands to which they refer.

*In Senate, February 19, 1831.*—Read twice and passed.

Sent down for concurrence.

SAMUEL LATHROP, *President*.

*In House of Representatives, February 23, 1831.*—Read twice and passed in concurrence.

W. B. CALHOUN, *Speaker*.

*February 23, 1831.*

Approved,

LEVI LINCOLN.

## ROLL, No. 104....JAN. 1831.

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The COMMITTEE ON ACCOUNTS, having examined the several accounts for support of State Paupers, and the accounts for Militia services, presented to them, Report,

That there are due to the several Corporations and persons hereinafter mentioned, the sums set to their names respectively, which, when allowed and paid, will be in full discharge of said accounts, to the dates therein mentioned.

By order of the said Committee,

E. HOYT, *Chairman.*

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### PAUPER ACCOUNTS.

Amherst, for support of Jane and Polly Richardson, to Jan. 1, 1831. \$148 88

Andover, for support of Sukey Hornsby, Hannah Highland, Lavina Bean, and the following children, viz. James Monroe, Lavina and Eleanor Bean, Martin Wright, Peter Sigourney; also John Wilson, John Malawney, William Malawney, a child, and supplies to wife of Peter Sigourney, Rosanna Coburn, Dinah Chadwick, and funeral expenses of Sigourney's wife, to Jan. 1, 1831. 229 36

Adams, for support of Chester Dean, Phila Hill, Robert Adams, Sarah Goodrich, Sa-



rah Dodge, Agnes Mores, Mary Rice, Robert Harris, to Jan. 11, 1831.	188 80
Ashby, for support of John Alexander and Charles Edward McRoberts, children, to Jan. 1, 1831.	52 00
Abington, for support of Margaret Jack, Antonio Julio, Josiah Thompson, and David Gurney, to Feb. 2, 1831.	84 07
Alford, for support of Minerva Smith, William Golburn, and Henrietta, a black child, to Jan. 1, 1831.	51 64
Amesbury, for support of Moses P. Bigford, till his death, Eunice Bigford, Moses, Henry and John, children of said Moses and Eunice Bigford, Joseph, Lyman, George and Joshua, children of Mary Haley, James Standring, Robert Baker and Mary Haley, to Jan. 2, 1831.	139 48
Attleborough, for support of Thomas Riley, Mary Montgomery, Ann Brumley, and her four children, Susan Wales, Henry Deerfield, Thaddeus Perkins till his death, John Rider, Robert Carson, till his death, John Montgomery, Bridget Montgomery, John Read, a child, Ephraim Davenport, to Jan. 1, 1831.	340 14
Ashburnham, for support of Mrs. Stinegar, William Stinegar and Hiram Stinegar, to Jan. 19, 1831.	119 60
Belchertown, for support of Margaret Carrell, Elsey Carrell, John Carrell, Thomas McKan, Betsy McKan, Hannah Levens and Susanna McIntire, to Jan. 1, 1831.	70 59
Bristol, County of, for support of sundry paupers in the House of Correction, to Nov. 25, 1829.	65 19
Beverly, for support of Dolly Claxton, Catharine Cameron, Simeon Lee, Martin Joy, Margaret Joy, Harriet Cameron, John O'Donnell, Eliza O'Donnell, and the following children, viz. Joseph, Benjamin and Martha Cameron, and Henry O'Donnell, to Jan. 1, 1831.	124 38

# PAUPER ACCOUNTS.

537

Becket, for support of Elizabeth Hamlin, Maria Parker and her child, to Jan. 3, 1831.	72 94
Barnstable, for support of John Robinson, to Jan. 6, 1831.	28 80
Brighton, for support of John J. Baker, to Dec. 1, 1830.	41 91
Bradford, for support of Sarah Kenny, to Nov. 5, 1830.	44 45
Brookline, for support of Anp Potter's child, to May 31, 1830.	52 00
Brookfield, for support of Wyman and Sarah Adams, and their daughter Sarah, to Jan. 1, 1831.	115 55
Boston, for support of sundry paupers in the House of Industry, to Jan. 1, 1831.	7,214 84
Boston, for support of sundry paupers, supplies furnished for Alms House, &c., to Jan. 1, 1831.	1,595 76
Boston, for support of sundry paupers in the House of Reformation, to Jan. 1, 1831.	462 43
County of Suffolk, for support of sundry paupers in the House of Correction, to June 30, 1830. To Sept. 30, 1830. To Dec. 30, 1830.	1,125 99
Burlington, for support of John A. Pashoe and Venus Rowe, to Jan. 28, 1831.	93 60
Brimfield, for support of Mary Paine and her son, Geo. W. Paine, John Shelburne, Thomas Carlin and James Hunter, to Jan. 1, 1831.	175 67
Barre, for support of Dinah Barker, Andrew Naven, Jane Naven, and James Davis, jr. a child, to Jan. 25, 1831.	57 10
Berkley, for support of Jacob Toney, till his death, Mary Lindell, James Cudley, to Jan. 1, 1831.	151 10
Bridgewater, for support of John Chesnut and wife, Amy Ward, Samuel, child of said Amy, and Rachel, a colored woman, to Jan. 28, 1831.	143 50
Braintree, for support of Christopher Joseph, Titus, a colored man, and three children of Mrs. Gaweth, (Joseph, Mary and Ann,) to Jan. 1, 1831.	171 60

Conway, for support of Sally McMurphy and Hannah Hall, to Jan. 1, 1831.	85 11
Chester, for support of Jonny Hardy, Benj. Powers and Ann Butolph, to Jan. 3, 1831.	83 70
Cheshire, for support of Ephraim Richardson, Noel Randall, Polly Cooper, Molly Dimond; Levi Peirce, and Ebenr. Lilly, to Jan. 9, 1831.	160 20
Colraine, for support of Peter R. Hart till his death, Betsy Hart and her three children, Kate Vanvoltenburg, Lucy Freeman, John and Lucy, children of said Lucy, and Stephen Hart, a child, to Jan. 3, 1831.	192 80
Charlestown, for support of sundry paupers, to Jan. 12, 1831.	3,480 45
County of Essex, for support of sundry paupers in the House of Correction, to Dec. 28, 1830.	874 73
Clarksburg, for support of James Cook, Lov-el Hill, Naomi Hill, Melvira Hill, William Hill, and Caroline Hill, (the three last children,) to Jan. 10, 1831.	134 40
Cambridge, for support of sundry paupers, to Jan. 27, 1831.	3,783 94
Canton, for support of Alida Harrington, Richard Harrington, Mathew Gaffany, Hannah Buckley, and Bridget Gaffany, to Feb. 1, 1831.	61 18
Chelsea, for support of Betsey Jones, John Edward Jordan, Thomas Myers and Wm. Brown, to Jan. 7, 1831.	89 15
Charlton, for support of Robert Bennett, Catharine Green, and her child, Eliza Wheeler and her two children, to June 1, 1830.	47 04
Carver, for support of Martin Grady, to Jan. 1, 1831.	46 80
Chelmsford, for support of Joanna McLane, and Phillis Read till his death, to Jan. 1, 1831.	53 60
Dudley, for support of Allsbury Reynolds, Sarah Reynolds, till her death, Martha Bent, alias Babcock and her child till its death, Sarah Wilson, to Jan. 12, 1831.	106 60

# PAUPER ACCOUNTS.

539

Dartmouth, for support of Marshall Howard till his death, James Jenkins and Samuel Blanding, to Jan. 1, 1831.	33 17
Deerfield, for support of Thomas Sowerby and wife, Lavina Witherell and Prince Emanuel, to Jan. 1, 1831.	76 38
Davis, Henry, for supplies to Dudley Indians, to Jan. 1, 1831.	101 46
Dedham, for support of Paul Cain, an unknown female, Robin Clue, Abraham Darling, Diana Decatur, Jacob Tucro and wife, Francis Davenhowed and wife, Mary Mack, and her two children, Mary and Bridget, Fanny Frost, and the following children, viz. Elizabeth Diana Decatur, Jacob Tucro, Mary Tucro, Catharine, Mary, Jacob, Francis, and Caroline Davenhowed, and George Frost, to Jan. 1, 1831.	212 29
Dracut, for support of Moses Freeman, the wife and seven children of Robert Cashley, wife and two children of Edward Reed, the wife and two children of James Finaughty, Abigail Townsend and Thomas Jones, to Jan. 24, 1831.	336 76
Dover, for support of Margaret Guardian and child, to Jan. 26, 1829.	4 20
Danvers, for support of Owen Millen, John Fitzgerald, Cesar Wilcox, James Wallace, Morice Foley, John Henley, Joel Wesson, Matthew Fairservice, Michael Griffin, Peter Cunningham, Andrew Cummings, Edward Lanigar, Ira Hammond and wife, Joseph Currier, James McDonough, Charlotte McDonough, David Welsh and wife, Jane Richardson, to Jan. 27, 1831.	469 91
Dorchester, for support of Mary Child, Benj. W. Child, Widow Burgin, and burial of Lewis Taylor and Henry Bacon, to Jan. 1, 1831.	22 90
Duxbury, for support of Lydia Dace, to Feb. 15, 1831.	46 80
Dalton, for support of Rachel Hoose, Mary Hoose, and Charles McKee, to Jan. 1, 1831.	73 60

Dighton, for support of Molly Fish, to Feb. 1, 1831,	31 50
Enfield, for support of Deborah Butterworth, and Diana Bosworth, to Jan. 1, 1831.	139 50
Eastham, for support of B. F. Johnson, to Jan. 1, 1831.	46 80
Edgartown, for support of Emanuel Salvors till his death.	19 77
Egremont, for support of Betsy Daly, Isaac Freeman, Rosanna Van Guelder, Reuben Van Guelder, Andrew McCarron, Peggy McCarron, and the following children: William and Nancy Race, and George Augustus Kline. Also Delia Fairbanks, to Jan. 14, 1831.	367 64
Easthampton, for support of Submit Bailey, and his two children, Ozias and Charles, to Jan. 8, 1831.	98 80
East Bridgewater, for support of Lucinda Nero, Betsy Chase, Nathaniel Lawrence, Elihu Stevens, Robert Seaver, Asa Mingals, Samuel Wood, Meribah Williams and her two children, and the wife and three children of Joseph S. Perry, to Jan. 13, 1831.	349 80
Essex, for support of Samuel Coleman, to Jan. 1, 1831.	51 30
East Sudbury, for support of David Curtis, to Feb. 10, 1830.	87 30
Foxborough, for support of Caroline G. Howe, Susan Rider and John Rider, to Jan. 1, 1831.	59 78
Falmouth, for support of Edward Edwards, and funeral expenses, to Dec. 10, 1830.	46 66
Fairhaven, for support of Akas Sisson, till his death, John Bisemon, till his death, Philip Wing, till his death, John Queen, Patrina Milday, William Wilson, Margaret Wilson, Sarah Carr, John Carr, a child, John Cowley, Lawrence Hacker, to Jan. 1, 1831.	350 86
Framingham, for support of George Turner, Daniel Campbell and Phebe Blake, to Jan. 9, 1831.	76 53
Gill, for support of Mary Lawson, to Jan. 1, 1831.	75 60

# PAUPER ACCOUNTS.

541

Great Barrington, for support of Joanna Porter, Lucy Porter, Peter Smith, Sarah Smith, Edward Wells, a child, Amarilla Wells, do., Daniel Lynch, Hannah Williams, Chauncey Williams, a child, Chester Williams, do., Christopher Williams, do., Mary Williams, do., Mary Ann Hutchinson, John McGeorge, Maria Rogers, a child, Henry Eaton, do., Cornelius Williams, do., Elisha J. Williams, do., Sarah M. Williams, do., to Jan. 5, 1831,	218 73
Gloucester, for support of Elizabeth Dowsett, Anna Youling, Elizabeth Dade, Betsey Lang, Leah Francis, Lydia Witham, John Shaftoe, William Presso, Samuel Youling, Mark Grimes, Benjamin Laroque, George Gardner, Charles Tolman, Jane Babylon, and burial of James Hammond, to Jan. 12, 1831,	432 50
Greenfield, for support of Olive Bates' child, Eliza Goland's child, Asahel Booth's child, Samuel Freeman, wife and two children, Abigail Hastings, alias Abigail Taggart, and Olive Bates, to Jan. 1, 1831.	89 94
Groton, for support of Richard Brenton, Eunice Benteradt, Molly Rolfe, David Blair, and Margaret Butler, to Jan. 10, 1831.	117 77
Granville, for support of Mary Barden, Sally Stuart, Samuel Gallup, till his death, and Freeman Powers, till his death, to Jan. 26, 1831.	102 96
Grafton, for support of Joseph Phillips, till his death, Stephen Phillips, Francis L. Whittaker, John Currier, to Jan. 27, 1831.	76 03
Hadley, for support of Rebecca Allen, to Jan. 1, 1831.	46 80
Harwich, for support of James Robertson, to Jan. 1, 1831.	43 59
Hancock, for support of Silas Shipman and wife, Israel Clark and wife, John H. North, a child, and Mary Clerk, to Jan. 1, 1831.	198 87
Holliston, for support of Henry Burley and John B. Ford, to Jan. 10, 1831.	57 60
Hubbardston, for support of Daniel Mundel, to Jan. 1, 1831.	27 52

Hanover, for support of Hannah Long and Charles Kenny, to Jan. 3, 1831.	51 90
Hingham, for support of Lee Shaw, to Jan. 4, 1831.	29 70
Hanson, for support of Betty Joel, to Jan. 1, 1831.	93 60
Haverhill, for support of J. Q. Adams, alias Elisha T. Currier (a foundling child), Anna Copp, Mary Thompson, till her death, Mary McGary, John Kelly, till his death, to Jan. 1, 1831.	86 86
Harvard, for support of William Shearer, to March 10, 1830.	32 40
Ipswich, for support of John O'Brien, Thomas Powers, Bridget Brooks and her two children, John Caseley, Luke Weems, Alla Weems, Bridget Cook and child, Richard Powers, and Francis Lord, to Feb. 1, 1831,	187 29
Kingston, for support of Sophia Holmes, Emily Holmes, a child, and amount of short allowance in account of 1829, to Jan. 1, 1831.	82 09
Longmeadow, for support of Rachel Parker, Tabitha Hall, and Henry Hall, a child, to Jan. 1, 1831.	16 60
Lee, for support of Sarah Ross, John Marble and wife, Jeffry Tucker, a child, Amos Moore, Dan Leander Quigley, a child, William Quigley, a child, John Somers and wife, Fanny Ward and Joel Lilly, to Jan 5, 1831.	122 48
Lanesborough, for support of Eunice Foot, Lucy W. Goman, Mary Squires, Amos Dodge, Mary Dodge, Amelia Bonnett, Mary Vansickle, Lucy Carmean, till her death, and the following children :—Rufus, Louisa, John, and Lucinda Dodge, Amanda Lane, John Stanbrough, Harriet Stanbrough, and Jeremiah Mulbuffer, an adult, to Jan. 4, 1831.	374 01
Leverett, for support of John Gawney, to Jan. 1, 1831.	46 80
Leyden, for support of Arnold Clark, Tacy Clark, Ruth Abel, Joseph Abel, Hannah Cole, Jane Golon, a child, Catharine Booth,	

# PAUPER ACCOUNTS.

543

and her three infant children, Phillis Young, to Jan. 7, 1831.	242 70
Lenox, for support of Moses McGraw, Sam'l Bord, Dayton Fuller, Sam'l Bell, Catharine Hough, a child, Lucinda Hurlbut, do., Samuel Jackson, do., Dayton Fuller, jr., do., Lester Fuller, do., Erastus Fuller, do., Jane Austin, Edward Hurlbut, to Jan. 2, 1831.	274 83
Littleton, for support of Joseph Davenport and John Putnam, to Aug. 5, 1830.	136 80
Ludlow, for support of Thomas Brainard, Harvey Olds, Gilbert Richardson, and wife and three children, viz : Delia, Mary and Azel, to Jan. 1, 1831.	108 64
Lynn, for support of John Battis, John Christian, Lemuel G. Smith, John Ryan, Rebecca Ross, and her three children, William, Walter and Rebecca, Thomas Curtis, Mrs. Carroll, Donald McDonald, till his death, Geo. M. Cogswell, child, Mary Richards and James Proctor, to Feb. 3, 1831.	216 42
Lowell, for support of Brian Glian, William and James Redman, children, Thomas Redman, till his death, Fanny Eastman, till her death, Nancy Jane Moody, Philena Haskins, Fanny Chism, and her two children, J. Harvey, Margaret Fielding and child, (the latter till its death) Margaret Donohon, Samuel Bagley, Timothy O'Connell, William McMellan, to Feb. 1, 1831.	223 30
Leicester, for support of Thomas Waters, Mary Davis, Mary Davis, a child, Richard Davis, do., and supplies to children of Rolin Cobb, to Jan. 1, 1831.	131 67
Lancaster, for support of William Shearer, to Jan. 4, 1831.	39 60
Methuen, for support of William and Mary Ann Richards, to Jan. 1, 1831.	104 00
Montgomery, for support of Willard Convers and Hannah Bohan, to Jan. 1, 1831.	55 03
Monson, for support of Mary Allen, Flora Story, Roxana Wallis, Benjamin Wallis, a child, Dickinson Wallis, do., Hannah Brown, Ma-	



rilla McIntire, and her three children, Lucinda, Darius and Rufus, to Jan. 1, 1831.	225 45
Marlborough, for support of Dennis Flood, and Thomas Cook, till his death, to Jan. 1, 1831.	27 50
Mount Washington, for support of Peggy Winchell, Henry Tyler and Robert Baker, to Jan. 5, 1831.	65 38
Manchester, for support of Mary Ann Wheaton, and her two children, William and Joseph, to Jan 3, 1831.	42 00
Montague, for support of Anna Sinclair, to Jan. 4, 1831.	75 60
Medford, for support of Kendrick Miller, Peter Olary, Ellen O. Foley, Elizabeth Foley, a child, Cornelius Cammel, Samuel Walton, wife and three children, William McDonough, Ann Wilson, Charles Jones, Henry Boon, John Brown, David Welsh and wife, Arthur Tobey, a child, Ira Hammond and wife, William Sloan, Micah McGerry and wife, Dennis Ryan, Lydia Brooks, Martin, Henry and Elias Brooks, children, Sarah Yarner, John Yarner and Dorothy Lyman, to Jan. 1, 1831.	370 94
Marshfield, for support of Samuel Holmes and John Baker, to Jan. 1, 1831.	95 66
Marblehead, for support of Mary Card, Hercules Gardner, Ellen Ann Alley and child, James Emery, Ira Hammond and wife, Simon Leaky, Patrick Dowd and wife, Jane Babylon and William Swarts, to Jan. 8, 1831.	143 17
Milton, for support of James Bowman, Archibald McDonald, George Hamilton, a child, Mary A. Wright, do., Rebecca Majester, John C. Drew, to Jan. 31, 1831.	135 74
Milford, for support of Margaret Garrow, and Nathan Trufant, to Feb. 2, 1831.	51 30
Marshpce Plantation, for support of Richard Holmes, James Pells, Lois Pells, Anthony Hensen, Ephraim Jerrell, George Jones, to Jan. 11, 1831.	257 40
Milbury, for support of Martin and Isaac Flood, to Jan. 3, 1831.	53 00

# PAUPER ACCOUNTS.

545

Medfield, for support of George Turner, to Nov. 25, 1830.	56 90
Malden, for support of John and Henry Barker, and George Elisha, children, Patrick McMurphy, Charles O'Neil and wife, Mary Quirk, John Quirk, Joseph Simeny and wife, James Kelly, Aaron Fox, till his death, Susan Walton and her three children, James Hickey and wife, Peter Kinkum, Edward Lenakin, William Staples, Joanna Fogerty, Mary Ann Corby and her three children, (Mary Ann, Margaret and Ellen,) Mary Ann Richardson, Mary Scolly, Alver Whitney, Peggy Magus, Sally Magus, Phillis D. Sargent, Catharine Lynd, to Feb. 10, 1831.	564 99
Middleborough, for support of Elizabeth Briggs, Abigail Simons, Solomon Robinson, William Montgomery, Jenny Montgomery, Sarah Dick, Mehaly Dick, Peter Pero, Mercy Dick, Clarissa Dick, Harriet Cooper, Clarissa Coquet, Laban Wheaton, Sophia Thompson, Daniel Jones, Anna Robinson, John Canada, John Niles, Martha Simons, William Sargeant and wife, Susanna Luce, Widow and three children of William McAlister, Amy Robinson, Thomas White, Sarah Mitchell, Samuel Shoemaker, Eliza Nichols, and funeral expenses of William Montgomery, to Jan. 1, 1831.	1,156 38
New Braintree, for support of Mary Rogers, to Jan. 3, 1831.	93 60
Norwich, for support of Ruth Sanford, to Jan. 1, 1831.	93 60
Northborough, for support of Jacob West, to Jan. 9, 1831.	46 80
Nantucket, for support of Anthony Swasey, Mary Andrews, Chloe Golding, Phillis Painter, Mathew Smith, Nathan Beebe, Sophia Beebe, Catharine Richardson, William Hutchins, James Grant, Thomas Truxton, to Jan. 1, 1831.	488 70
New Marlborough, for support of Jona. Hill	

till his death, and Oliver Warn, to Jan. 5, 1831.	43 96
North Brookfield, for support of Esther Johnson, to Jan. 3, 1831.	29 70
Northampton, for support of sundry paupers, to Jan. 1, 1831.	1,842 04
North Bridgewater, for support of James Dorran, William Lewis, a child, Rufus Lewis, do., Deborah Van Ransellaer and Charlotte Wood, to Jan. 1, 1831.	160 32
Newton, for support of Jonathan French, Anna Green and William Pickering, to Jan. 1, 1831.	94 50
Norton, for support of Moses Shute, to June 26, 1830.	5 78
Norfolk County, for support of John Jones, David Dyer, till his death, Christian Stockman, William White and William Wilson, to Dec. 26, 1830.	108 75
New Bedford, for support of sundry paupers, to Jan. 1, 1831.	634 04
Newburyport, for support of sundry paupers, to Jan. 1, 1831.	857 73
Newbury, for support of sundry paupers, to Jan. 1, 1831.	883 31
Overseers of Gay Head, for support of Hezekiah Sewall, to Jan. 26, 1831.	46 80
Otis, for support of Abijah G. Hazard and wife, Timothy Tiffany, Loring Parmely till his death, and Polly Wilna, to Jan. 1, 1831.	164 30
Paxton, for support of William Fisk and Hannah Jonah, a child, to Jan. 1, 1831.	73 01
Pawtucket, for support of Jane Donalson and child, Catharine Daly, do., and Ella Mackapella, to Jan. 13, 1831.	80 80
Pelham, for support of Harriet Whipple, to Dec. 24, 1830.	26 00
Plymouth, for support of John M. Roap, John Wolhing, James Reed, Maria Harrison, till her death, to Feb. 2, 1831.	105 28
Pittsfield, for support of James Gordon, Amanda Thompson, alias Gardner, till his death, Frances Smith, John Weston, Prudence Barry, Lydia B. Jones, till her death, Patrick	

# PAUPER ACCOUNTS.

547

Murray, till his death, Jane Austin, John Brown, Mary Brown, Prince Richards, till his death, Ruth Dolby, John Gabriel, and the following children, viz: Henry and William Gabriel, Edward and George Barker, Polly Little, Theophilus Brown, Cato Brockway, James Erwin, Edward Thompson, Charles Thompson, Henry Thompson, Hannah Thompson, Caroline Stanborough, John Smith, James Smith, Frances Smith, William Smith, Levi Smith, Maria Brown, Jane Dolby, John Dolby, Joseph Dolby, and Sarah Dolby, to Jan. 1, 1831.	1,059 05
Phillipston, for support of Abraham Scholl, to Jan. 1, 1831.	46 80
Pembroke, for support of Rhoda Prince, Mary Gifford and Edward Smith, to Feb. 1, 1831.	66 73
Royalston, for support of Alice Clements and Thomas Blodget, to Jan. 13, 1831.	86 00
Russell, for support of Sally Harrington, Mary Newton, Polly Hale, and Mary and Nancy Hale, children, to Jan. 1, 1831.	114 70
Raynham, for support of James C. Oxford, to July 30, 1830.	31 00
Rowe, for support of Betsy Carpenter, and the following children, viz: Annis Carpenter, Almira Wilcox, Mary Wilcox and Noah Wilcox, to Jan 3, 1831.	114 41
Richmond, for support of Nancy Jessup, Susan Darling, Jacob Wicker, and the following children, viz: Amos, Aseneth, Mary Jane, Francis Henry, and Emeline Celestia Darling, and Adeline M. Hager, to Jan. 4, 1831.	289 80
Rowley, for support of sundry paupers, to Jan. 8, 1831.	562 79
Rehoboth, for support of Aaron Freeman, Lucy Kelly, John Kelly, a child, Rosanna Freeman's child, Nancy Hill and child, John Solomon till his death, to Dec. 26, 1830.	201 16
Rochester, for support of Edward B. Sanford, Rhoda Sanford, and their four children, viz: Amos, Charles, Edward and David, to Jan. 7, 1831.	117 80

Roxbury, for support of sundry paupers, to Feb. 1, 1831.	639 00
Sandisfield, for support of Richard Dickson, till his death, Phillis Dickson, and Benjamin Whitney, a child, to Dec. 25, 1830.	74 11
Stoughton, for support of Isaac Williams, jr., and Joseph Bean, to Jan. 8, 1831.	60 30
Sheffield, for support of Charlotte Turner, Phebe Dunant, Margaret Dunant, Dennis Kelly, Caroline Kelly, Andrew Doyle and wife, and funeral expenses of Luzon Brewster, to Jan. 8, 1831.	92 41
Somerset, for support of Polly Hill, Ann McGiven, and Ann, Else and Thomas McGiven, children, to Jan. 3, 1831.	171 60
Stockbridge, for support of Abraham Parmalee, Martha Dowd, Margery Curtis, Dinah Elky, Dorcas Webster and Anthony Purdy, to Dec. 1, 1830.	262 35
Seekonk, for support of Catharine Fisk, till her death, — Nichols, till his death, Molly Beers, William Welsh, Elizabeth Carden, Hannah Robbins, Reuben Frost, and Susannah Matteson, to Jan. 2, 1831.	242 20
Shelburne, for support of Mary Bates and Elizabeth Lane, to Jan. 1, 1831.	44 80
Southampton, for support of John Cochrane and Robert Livingston, a child, to Jan. 1, 1831.	44 80
Swansey, for support of Martha Dousnips, Jude McCartee, Susannah, an Indian, Betsy Lovejoy, Rosilla and Olive Freeman, and Mary McCartee, till her death, to Jan. 8, 1831.	294 30
Sutton, for support of James Norbury, and funeral expenses of Thomas Harbeck, to Jan. 1, 1831.	15 67
Shirley, for support of Mary McKenzie, Jenny Mitchell, Lucretia Hazard, a child, Thomas Benson, John Putnam, and the following children : Fanny Mitchell, Charles Mitchell, Walter J. Mitchell, Thomas Benson, to Jan. 1, 1831.	235 92

# PAUPER ACCOUNTS.

549

Southwick, for support of Daniel Marlon till his death	43 46
Shutesbury, for support of Peter Jackson and wife, John Venauley and wife, Sarah Phinnemore, Juliana Phinnemore, with an infant child, and Sarah, Zechariah, Clarissa and Charles, children of Sarah Phinnemore, to Jan. 1, 1831.	157 41
Springfield, for support of sundry paupers to Jan. 1, 1831.	550 10
Salem, for support of sundry paupers to Jan. 1, 1831.	1,695 04
Sandwich, for support of Harriet Griffen, till her death, to Sept. 11, 1830.	20 30
Shrewsbury, for support of Nancy Johnson, Eleanor Johnson and George Turner, to Jan. 26, 1831.	13 22
Stoneham, for support of Charles O'Neil and wife, to Sept. 11, 1830.	3 60
Spencer, for support of Susannah Cowland and four coloured children, to Jan. 16, 1831.	150 80
Sharon, for support of Edward Ellis, Elizabeth Ellis, Susanna Rider, and Hannah Bucklin, to Feb. 9, 1831.	142 58
Southwick, for support of Daniel Marlow and Allen Dean, till their death,	56 16
Sandwich, for support of Bethiah Fly, Felice Wing, and Patrick Powers, till his death, to Jan. 25, 1831.	106 19
Taunton, for support of Sally Volum, Nancy Stella and her two children, (Leonard and Stella) Deborah Smith, Robert Wilson, Joseph Lyon, Samuel Shoemaker, Samuel Rose, Mary Mulharen and her two children, (James and Michael) George Burket and his three children, (Nancy, Alice and Robert,) Jeremiah Fielding, till his death, Eleanor Ball and Moses Shute, to Jan. 1, 1831.	588 49
Tyringham, for support of Richard Gardner and wife, Asa Thompson, Mary Diskill, Pamela Tilley, Temperance Sears, Elvira Watkins, Fanny Brown and her infant child, and	

removing family of John Barden, to Jan. 4, 1831.	329 65
Townsend, for support of Samuel B. Jackson, a child, Henry S. Jackson, do., and Edward McBride, to Jan. 6, 1831.	61 00
Truro, for burial of two unknown persons, picked up on the beach, Jan. 1831.	10 00
Tyngsborough, for support of Catharine McClenning to January, and Thomas McGlathery to Feb. 1, 1831.	63 00
Tolland, for support of Hannah Mather, and Sall, a black woman, till removal of former, and death of latter.	29 60
Tewksbury, for support of William H. Holbrook, John Haley and wife, Austin Pease and wife, and funeral expenses of John Healey, to Nov. 17, 1830.	37 79
Uxbridge, for support of Mary Pratt, Ezra Comstock, Frederick Trask and his wife, till her death, and James Lewis, till his death, to Feb. 15, 1830.	143 40
Upton, for support of Mary Bryant, to Jan. 15, 1831.	45 90
Williamsburg, for support of Robert Briggs, James Turner and Mary Turner, a child, to Dec. 31, 1830.	60 62
Westhampton, for support of Jane Gay, Silvia Miller, and Mary Ann and Fillia Sherman, children, to Jan. 1, 1831.	89 24
Western, for support of Michael Walsh, Thomas Morris, a child, and Joseph R. Trim, do., to Jan. 1, 1831.	44 59
Washington, for support of John Thompson, to Jan. 1, 1831.	28 80
Ware, for support of Thomas Dennison, Charles Simpson, George W. and Horace Booth, (children of George Booth) Eliza, Caroline and Henry Olney, children, Jacob Jackson, and John J. Upham; also, funeral expenses of two Olneys, children, to Jan. 15, 1831.	375 43
Warwick, for support of John C. Miller, Sam-	

# PAUPER ACCOUNTS.

551

uel Gun, Molly Gun and Charles, son of said Guns, to Jan. 8, 1831.	120 40
Westborough, for support of Primus Titus, to April 1, 1830.	22 50
Westfield, for support of Esther Berry, Aseneth Gibson, Mary Parks, Mary Ann Baker, Hepsibah Brewer, Betsey Rose, Sally Baker, Sarah Ann Dodge, Patty Linerson, and the following children, viz. George Gibson, Eunice French and George Dewey, to Jan. 1, 1831.	421 59
Wilbraham, for support of Eunice Davis, Mary Walker, Alice Dodge, John Ammidon, Joan Ammidon, Lodice Ammidon, Charles Noe, Sally Noe, Thomas Fatson, Rodney Granhood, and the following children, viz. Eliza, Esther and Perlin Freeden, John and Samuel Wright, Persis Ann Noe, and funeral expenses of Thomas Fatson, to Dec. 29, 1830.	482 60
Worthington, for support of Mary Culver, till her death.	25 18
Westford, for support of Ephraim Spaulding, till his death.	52 70
Williamstown, for support of Asahel Foot, his wife and five children, Rachel Galusha, John G. Henderson and Stacy Lamphere, to Jan. 1, 1831.	214 84
Whatley, for support of Elizabeth McCoy, to Jan. 5, 1831. For support of Jessee Jewett, to Jan. 26, 1831.	71 10
West Stockbridge, for support of Lucretia Bellamy, Mary M. Stoddard and her child, Elsey A. and Frederick H. Stoddard, children, Lucy Lane, James C. Briggs, Ranson H. Biggs, Sally Barton, Ebenr. Wood, Henry W. Rogers, a child, Mary Snow till her death, to Jan. 1, 1831.	222 11
West Springfield, for support of Hannah Shevoy, Louis Shevoy, Laura Chapin, Valentine Worthey, John and Rodney Benedict, children, Phebe Smith till her death, Ann	



Freeman, and Ichabod her child till its death, to Jan. 1, 1831.	153 69
West Newbury, for support of wife and family of Richard Renton, the children as follows: George Keely, Wm. Alfred, Rebecca Duncan, and Sarah Hopkinson, the wife and family of John Boles, viz. Elizabeth Boles, and Susan, Emily, Elizabeth and Martha, children; and funeral expenses of Elizabeth Boles, the mother, and Susan, Emily and Elizabeth, children, to Jan. 1, 1831.	171 49
Waltham, for support of James Buchanan, to Feb. 1. 1831.	58 50
Wenham, for support of Sarah English and Pompey Porter, to Jan. 1, 1831.	93 60
West Bridgewater, for support of Thomas Quindley, to Jan. 1, 1831.	46 80
West Cambridge, for support of John Bailey, Dennis Ryne, Patrick Berry, Daniel Ferrell, James Hackey, Ira Hamman, and wife, David Welsh and wife, Mardonno and wife, David Naland, Sarah Ellis till her death, to Jan. 18, 1831.	88 65
Wrentham, for support of Eliza Ann Woodward, Silvia Pettice, Susannah Nowland, Dolly Hulbert, Lucy Pattern, child, Charles Marsh, do. and funeral expenses of Montgomery Graves, to Jan. 1, 1831.	122 18
Worcester, for support of Michael Flenming, Esther Carroll, Mary Gall, a child, and funeral expenses of Charles Van Vanvac-ter, to Jan. 1, 1831.	80 95
Watertown, for support of John Green, till his death, Rosanna Kirker, and her three children, (Martha, Sarah and Abigail) John Riley, Joseph Shaw, Henry Boon, Charles Jones, John M. Glouten, Maria Glouten, Wilkin Powell, John Thompson, Daniel Merrim, Thomas Daniels, David Welsh, Margaret Welsh, John Doyle, Aaron Pond, David and Margaret Welsh,	

## PAUPER ACCOUNTS.

553

Dennis Flood, Wm. Honers and funeral expenses of Ebenr. Wells, to Feb. 1, 1831.	208 91
Walpole, for support of Mary A. Meeder, and her four children, to April 22, 1830.	60 65
Yarmouth, for support of Thomas Peters, Black-Let, and Anna Knight, to Dec. 28, 1830.	65 70

## MILITARY ACCOUNTS.

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FOR JANUARY SESSION 1831.

*Aids de Camp to Major Generals.*

Aaron D. Capen, to Dec. 31, 1830,	25 00
Nathan Brown, to Dec. 31, 1830,	25 00
Samuel H. Mann, to Dec. 31, 1830,	25 00
John Bailies, to Dec. 31, 1830,	20 14
Franklin Weston, to Dec. 31, 1830,	25 00
	<hr/>
	\$120 14

*Brigade Majors.*

Bradford L. Wales, to Dec. 31, 1830,	40 00
David L. Child, to Dec. 31, 1830,	66 67
Joseph L. Low, to April 18, 1829,	12 00
Moses P. Parish, to Dec. 31, 1830,	40 00
Wyman Richardson, to Dec. 31, 1830,	62 67
Joseph Root, to May 19, 1830,	15 40
Alanson Clark, to Jan. 24, 1831,	42 67
Elisha Tucker, to July 31, 1830,	23 33
George B. Atwood, to Dec. 31, 1830,	40 00
Otis Adams, to Dec. 31, 1830,	40 00
Parker L. Hall, to June 1, 1830,	16 66
Increase Sumner, to Dec. 31, 1830,	23 33
William C. Plunkett, to Dec. 31, 1830,	40 00
	<hr/>
	\$462 73

# MILITARY ACCOUNTS.

555

## *Adjutants.*

Ebenezer W. Stone, to Dec. 31, 1830,	25 00
Francis D. Holbrook, to Dec. 31, 1830,	25 00
Stephen Hall, to Dec. 31, 1830,	15 00
Stephen Westcott, to Dec. 31, 1830,	50 00
Asa Smith, to Dec. 14, 1830,	16 24
Nathaniel Bird, to Dec. 31, 1830,	15 00
Sumner Crosby, to Dec. 31, 1830,	25 00
S. Davis Leavens, to Sept. 20, 1830,	18 06
J. Ivers Austin, to Dec. 31, 1830,	6 94
John C. Park, to Dec. 31, 1830,	25 00
Daniel H. Rogers, to Dec. 31, 1830,	25 00
Andrew Mansfield, jr. to July 31, 1830,	14 58
Ebenezer Sutton, to Dec. 31, 1830,	25 00
Joseph P. Turner, to Dec. 31, 1830,	15 00
Stephen Adams, jr., to Dec. 31, 1830,	25 00
Harvey Kimball, to Dec. 31, 1830,	25 00
William Brown, to Dec. 31, 1830,	25 00
Rouben Evans, to Dec. 31, 1830,	25 00
John Davis, to Dec. 31, 1830,	25 00
Joseph Hooper, jr., to Dec. 31, 1830,	15 00
Ephraim B. Parker, to Dec. 31, 1830,	11 12
Joseph Merriam, jr., to Dec. 31, 1830,	25 00
Homer Tilton, to Dec. 31, 1830,	25 00
Guy C. Haynes, to Dec. 31, 1830,	25 00
Josiah Clark, to Dec. 31, 1830,	25 00
Horace Heard, to Dec. 31, 1830,	41 66
Henry J. Baxter, to Dec. 31, 1830,	25 00
Samuel Reynolds, to Feb. 3, 1830,	2 28
Isaac A. Cooley, to Dec. 31, 1830,	22 55
Alvan Fowler, to Dec. 31, 1830,	25 00
James B. Parker, to Dec. 31, 1830,	25 00
Joseph H. Bowman, to July 9, 1830,	28 37
Joseph B. Sheffield, to Dec. 31, 1830,	33 26
Samuel W. Kirkland, to Dec. 31, 1830,	24 10
John P. Graves, to Dec. 31, 1830,	25 00
Wm. E. Russell, to Dec. 31, 1830,	38 05
Horatio N. Ward, to Dec. 31, 1830,	25 00
Joseph Tyler, to Dec. 31, 1830,	25 00
Marshal S. Mead, to Sept. 19, 1830,	25 06

Rufus B. Bradford, to Dec. 31, 1830,	25 00
Horace Collamore, to Dec. 31, 1830,	25 00
Aarad Thompson, to Dec. 31, 1830,	25 00
Thomas E. Gage, to Dec. 31, 1830,	25 00
Henry Luther, to Dec. 31, 1830,	25 00
George Danforth, to Dec. 31, 1830,	25 00
Ira Newman, to Dec. 31, 1830,	31 25
John T. Lawton, to Dec. 31, 1830,	25 00
Ephraim A. Raymond, to Dec. 31, 1830,	23 58
Obed Brooks, jr., to Dec. 31, 1830,	25 00
Cornelius Hamblin, to Dec. 31, 1830,	25 00
Ebenezer A. Howard, to July 1, 1830,	12 50
Silas Jones, to Dec. 31, 1830,	9 44
Dan Hill, to Dec. 31, 1830,	25 00
Joseph Knox, to Dec. 31, 1830,	16 66
William N. Green, to Dec. 31, 1830,	15 98
George C. Richardson, to April 24, 1830,	7 90
Luke Beal, to Dec. 31, 1830,	9 78
Edmund H. Nichols, to Dec. 31, 1830,	15 00
Edmund Bush, to Dec. 31, 1830,	25 00
Edward Bradley, to Oct. 5, 1830,	19 09
Edson Sexton, to Dec. 31, 1830,	5 91
Rodney Hill, to Dec. 31, 1830,	15 00
Socrates Squire, to Dec. 31, 1830,	25 00
Ambrose Nicholson, to Dec. 31, 1830,	25 00
John Kellogg, to Dec. 31, 1830,	5 00

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\$1,429 30

*Hauling Artillery.*

Thomas M. Field,	1830,	22 00
James Hawes,	"	15 00
Jabez Morse,	"	22 00
Samuel Thompson,	"	30 00
Ebenezer Tasker,	"	20 00
Thomas Goodwin,	"	30 00
Winslow W. Seaver,	"	24 00
Thomas Flint,	"	8 00
Joseph Soper,	"	10 00
Joshua Buttrick,	"	20 00
Bela Greenwood,	"	20 00

**MILITARY ACCOUNTS.****557**

Phineas G. Prescott,	1830,	7 50
Asa Spaulding,	"	17 58
Henry Dwight,	"	7 50
Henry A. Bridgeman,	"	7 50
Josiah S. Knowles,	"	10 00
Edwin Norcross,	"	7 83
Jona. F. Strong,	"	5 00
Hubbard B. Bordwell,	1829-30,	20 80
David R. Whiting,	1830,	12 00
Orlando Chapin,	"	15 00
Wm. Nash,	"	20 00
David Bradford,	"	27 50
David Sylvester,	"	4 50
Peter Corbet,	"	10 00
Peter D. Clemmons,	"	8 35
Leonard W. Stowell,	1828-9-30,	27 00
Gilman Robbins,	1830,	10 00
B. C. Shelden,	"	5 50

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**\$444 56**

## AGGREGATE OF ROLL, No. 104.

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Pauper Accounts, \$51,307 01

### *Military Accounts.*

Aids de Camp,	120 14
Brigade Majors,	462 73
Adjutants,	1,429 30
Hauling Artillery,	444 56

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\$2,456 73

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Total of Roll No. 104, \$53,763 74

*Resolved*, That there be allowed and paid out of the public Treasury, to the several corporations and persons mentioned in this Roll, the sums set against the names of such corporations and persons respectively, amounting in the whole to fifty three thousand seven hundred and sixty three dollars and seventy four cents, the same being in full discharge of the accounts and demands to which they refer.

*In Senate February 21, 1831.*—Read twice and passed.

Sent down for concurrence.

SAMUEL LATHROP, *President*.

*In House of Representatives, February 23, 1831.*

Read twice, and passed in concurrence.

W. B. CALHOUN, *Speaker*.

*February 24, 1831.*

Approved,

LEVI LINCOLN.

## SECOND ROLL.

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*ROLL of ACCOUNTS presented at the Adjutant General's Office, for examination and allowance, subsequent to the 14th February last, when the first Roll was certified.*

### *Adjutants' Accounts.*

Appleton Howe, to December 31, 1830,	25 00
Stephen Sanford, to April 19, 1830,	7 57
William Chamberlain, to December 31, 1830,	15 00
William Dodge, 4th, to December 31, 1830,	25 00
Oliver Whipple, jr, to December 31, 1830,	15 00
Abraham Tappan, to December 31, 1830,	11 25
Joshua H. Cross, to May 11, 1830,	18 75
Edward Palfray, to February 11, 1831,	18 75
Benjamin Dana, to December 31, 1830,	9 03
George W. Tarbell, to December 31, 1830,	30 56
William Tidd, to December 31, 1830,	25 00
Lucius Graham, to December 31, 1830,	25 00
Elijah Cushing, to December 31, 1830,	7 91
Asa Wood, to December 31, 1830,	25 00
Theodore Kern, to December 31, 1830,	25 00
Spencer Field, to December 31, 1830,	32 50
Phineas T. Bartlett, to April 22, 1830,	7 78

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*Brigade Major.*

Jabez W. Barton, to December 31, 1830, 40 00

*Hauling Artillery.*

Abijah Pond,	1830,	8 00
John Skinner,	"	6 00
William Haskell,	"	10 00
Timothy Brown,	"	10 00
John Bradbury,	"	20 00
Zebedee Morrill,	"	10 00
David Rice,	"	9 00
Philip Russell,	"	15 00
Horace Wait,	"	10 00
Thomas W. White,	"	6 00
Joshua Winslow,	"	9 35

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ADJUTANT GENERAL'S OFFICE, }  
 Boston, March 1st, 1831. }

I hereby certify that I have examined the Accounts referred to in the above Roll of Adjutants and for Hauling Artillery, and find them correctly vouched and cast.

W. H. SUMNER, *Adjutant General.*

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The COMMITTEE ON ACCOUNTS Report, That they have examined the several Accounts for military services, referred to in the annexed Roll, and that there are due to the several persons therein mentioned, the sums set to their names respectively, which, when allowed and paid, will be in full discharge of said accounts to the dates therein mentioned.

E. HOYT, *Chairman.*

## RESOLVE,

*Authorizing the payment of certain Military Accounts.*

*Resolved*, That there be allowed and paid out of the public treasury, to the several persons mentioned in the annexed roll, the sums set to their names respectively, amounting in the whole to four hundred and seventy-seven dollars and forty-five cents, the same being in full discharge of the accounts and demands to which they refer. And His Excellency the Governor is hereby requested to draw his warrant accordingly.

*In Senate, March 9, 1831.*—Read twice and passed.

Sent down for concurrence.

SAMUEL LATHROP, *President*.

*In House of Representatives, March 11, 1831.*—Read twice and passed in concurrence.

W. B. CALHOUN, *Speaker*.

*March 11, 1831.*

Approved,

LEVI LINCOLN.

**Commonwealth of Massachusetts.**

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**TREASURY OFFICE, MARCH 9th, 1831.**

The Treasurer having, in compliance with an order of the Honorable Legislature, passed the 3d March instant, examined and adjusted the accounts presented to him, asks leave to Report—That there is due to the several persons enumerated on the following Roll, the sums set against their names respectively, which, when allowed and paid, will be in full discharge of said accounts to the dates therein mentioned.

Respectfully submitted,

**JOSEPH SEWALL, Treasurer.**

*To the Honorable Senate, and  
House of Representatives.*

## ROLL OF ACCOUNTS No. 2,

*Audited by the Treasurer of the Commonwealth, and reported March 9th, 1831.*

### PRINTERS:

Adams & Hudson, papers to March 12th, 1831,	108 01
Allen, E. W., advertising Amendments and publishing Laws to August 1st, 1830,	24 67
Badger & Porter, papers to March 12, 1831,	87 57
Ballard & Co., do. do. do.	74 95
Bazin, G. W., do. do. do.	25 00
Bowles, Samuel, advertising Constitutional Amendments,	8 33
Beals & Homer, papers to March 12, 1831,	43 97
Buckingham, Joseph T., papers to March 12, 1831,	138 34
Cartor, Hendee & Babcock, papers to March 12, 1831,	21 34
Chapin, Jacob, advertising Amendments and publishing Laws to January 1, 1831,	25 00
Clapp, W. W., papers to March 12, 1831,	47 30
Dutton & Wentworth, printing for Legislature,	398 18
Secretary,	25 90
Newspapers to March 12, 1831,	11 97
	<hr/> 436 05
Garrison & Knapp, papers to March 12, 1831,	2 00
Harrington, Jubal, advertising Amendments and publishing Laws to January, 1831,	25 00
Hill, F. S., papers to March 12, 1831,	67 21
Hale, Nathan, do. do. do.,	65 28
Kingman, Woolson & Co., do. do.,	45 34
Nichols, William, do. do.,	12 06

Proprietors of "Boston Press" and "Free Press," for papers to March 12, 1831,	27 73
Proprietors of "Working Men's Advocate," papers to March 12, 1831,	22 69
Reed, David, papers to March 12, 1831,	20 76
Russell, J. B., do. do.,	32 54
True & Greene, do. do.,	45 58
Willis & Rand, do. do.,	25 50
	<hr/>
	\$1,432 22

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MISCELLANEOUS ACCOUNTS.

Bacon, Henry, assistant messenger to March 12, 1831,	124 00
Burditt, James W., stationary to March 7, 1831,	
For Legislature,	74 25
Secretary,	73 00
	<hr/>
	147 25
Chase, Warren, assistant messenger to March 12, 1831,	124 00
Cutting, Elijah W., do. do. do.,	120 00
Do. for his son as page, do.,	58 00
	<hr/>
	178 00
Goodrich, Isaac W., Stationary for Secretary to February 9, 1831,	41 25
Kuhn, Jacob jr., assistant messenger to March 1, 1831,	94 00
Loring, James, 13 Registers for 1831, delivered secretary,	10 83
Pitts, Sarah, for her son, Charles L. Pitts, as page, to March, 12, 1831,	58 00
	<hr/>
	\$777 33

## SHERIFFS—CORONERS—AGGREGATE. 565

### SHERIFFS.

Brown, Henry C., returning votes, members of Congress, to November, 1830,	23 80
Crocker, David, returning votes for Governor, &c. and members of Congress, to December, 1830.	17 50
	<hr/> \$41 30

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### CORONERS.

Brown, Jacob, charges of Inquisition,	7 40
Babbit, Crocker, do.	7 40
Kingsbury, Aaron, do.	9 08
Purple, Hatsell, do.	12 40
Rhodes, William, do.	12 40
Sawyer, Joseph, do.	13 06
	<hr/> \$61 74

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### AGGREGATE.

Printers' Accounts,	\$1,432 22
Miscellaneous Accounts,	777 33
Sheriffs' do.	41 30
Coroners' do.	61 74
	<hr/> \$2,312 59

## **Commonwealth of Massachusetts.**

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In the year of our Lord, one thousand, eight hundred,  
and thirty one.

*Resolved*, That there be allowed and paid out of the public treasury, to the several persons mentioned in the foregoing Roll, the sums set against such persons' names respectively, amounting in the whole to the sum of two thousand three hundred and twelve dollars and fifty-nine cents : the same being in full discharge of the accounts and demands to which they refer ; and His Excellency the Governor is requested to draw his warrant accordingly.

*In Senate, March 16, 1831.—*

Read twice and passed. .

Sent down for concurrence.

SAMUEL LATHROP, *President*.

*In House of Representatives, March 17, 1831.*

Read twice, and passed in concurrence.

W. B. CALHOUN, *Speaker*.

*March 19, 1831.*

Approved,

LEVI LINCOLN.

## **Commonwealth of Massachusetts.**

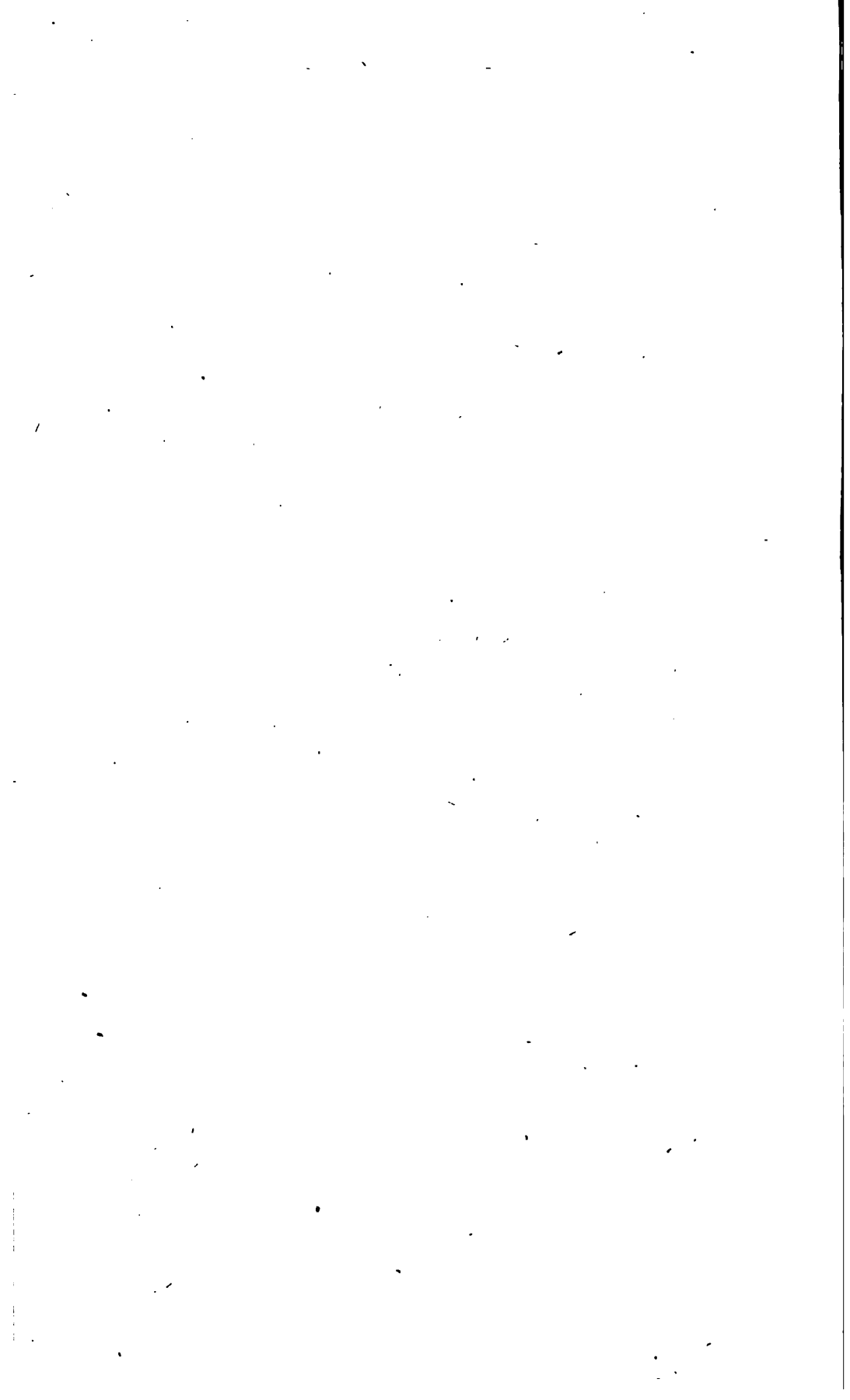
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SECRETARY'S OFFICE, May 14, 1831.

I hereby certify that I have compared the Resolves printed in this pamphlet, with the original Resolves passed by the Legislature, at their Session commencing in January last, and find the same to be correctly printed.

EDWARD D. BANGS,  
*Secretary of the Commonwealth.*





# INDEX

## TO THE RESOLVES

OF THE

SESSION IN JANUARY, FEBRUARY AND MARCH, 1831.

### A.

Accounts, Rolls of, audited by Committee of Accounts, and by Treasurer, . . . . .	529, 535, 559, 563
Agricultural Society, Massachusetts, allowance to, . . . . .	514
Amendment of Constitution, to be submitted to the people, . . . . .	497
Ames, Seth, administrator, allowed to sell real estate, . . . . .	520
Arnold, Samuel F., pension granted to, on account of wound, . . . . .	492
Arsenal, State, provisions for removal of, . . . . .	518
Auction duties, in certain cases, to be refunded, . . . . .	484

### B.

Bank Commissioners, pay of, provided for, . . . . .	502
Barnard, Francis, administrator, may file certificate of sale of estate, &c., . . . . .	508
Barnstable County, Courts in, to be furnished with Laws, &c., . . . . .	502
Bates, Oliver, authorized to convey estate of certain minors, . . . . .	481, 482
Baxter, Edward W., grant to, on account of wound when on military duty, . . . . .	478

Bounty Lands, to revolutionary soldiers, further provisions for location of, . . . . .	487
--	-----

## C.

Callender, William, allowance to, for services in revolutionary war, . . . . .	510
Chaplains of Senate and House, compensation of, . . . . .	522
Chappequiddic Indian, a pauper, support of, provided for, . . . . .	490
Chilmark, part of, to be surveyed by State surveyor, . . . . .	490
Clapp, Derastus, and others, grant to, for prosecuting counterfeiter, . . . . .	480
Clark, Noah, and another, grant to, for prosecuting counterfeiter, . . . . .	479
Clerk of Senate, compensation of, for making duplicate of journal, &c., . . . . .	496
Clerks of Senate and House, compensation of, . . . . .	523
Coffin, George W., compensation of, as agent for selling public lands, . . . . .	521
Colonial Records, in England, measures recommended to procure copies of, . . . . .	512
Colonization Society, designs of, recommended to Congress, . . . . .	509
Commissioners for examining Banks, pay of, provided for, . . . . .	502
Constitution, amendment of, to be submitted to the people, . . . . .	497
County Taxes, granted, . . . . .	500

## D.

Deaf and Dumb Children, to be placed at Hartford Asylum, . . . . .	488, 497, 509
Debtor and creditor, Laws respecting, to be revised, . . . . .	523
Dexter, Franklin, executor, authorized to convey certain real estate, . . . . .	505
Drew, Benjamin, a Coroner, allowance to, for services, . . . . .	522

## E.

Eastern Lands, grantees &c. of, allowed further time to settle, . . . . .	485
“ “ granted to revolutionary soldiers, further provisions respecting, . . . . .	487
“ “ roads over authorized, . . . . .	517
“ “ agents for selling, discharged from balance of accounts, . . . . .	521

# INDEX.

iii

## F.

Fellows, Daniel, jr., guardian of Chappequiddic Indians, allowance to, for supporting pauper, . . . . .	490
Fire Proof Edifice, on north front of State House, to be erected, . . . . .	511

## G.

Geological Survey of the Commonwealth, further provisions respecting, . . . . .	479
Georgia, certain proceedings of government of; opinion expressed concerning, . . . . .	512
Governor, and Council, authorized to give directions respecting geological survey of the State, . . . . .	479
Governor, requested to transmit to members of Congress, &c. resolutions respecting militia, . . . . .	501
Governor, requested to transmit to members of Congress resolves respecting Colonization Society, . . . . .	509
Governor, and Council, authorized to cause a Fire Proof Edifice to be erected at State House, . . . . .	511
“ requested to transmit to members of Congress, resolves respecting Colonial Records, . . . . .	512
“ requested to transmit to members of Congress, &c., resolves respecting proceedings of Georgia, . . . . .	513
“ requested to cause a manual to be compiled respecting culture of silk, . . . . .	515
“ and Council, authorized to appoint Commissioners to negotiate respecting removal of State Arsenal, . . . . .	518
“ and Council, authorized to appoint Commissioners to revise Laws respecting Debtor and Creditor, &c., . . . . .	523
“ and Council, authorized to settle accounts of Gen. William King, . . . . .	524
Governor's Message, at commencement of the Session, . . . . .	436
“ “ transmitting Resolutions of Legislature of Alabama, . . . . .	473
“ “ returning to Senate a Bill “to incorporate the Pigeon Cove Harbor Company,” . . . . .	476 ✓
“ “ transmitting certain documents from Maine, . . . . .	491
“ “ transmitting Resolutions of Legislature of Ohio, . . . . .	495
“ “ informing of the settlement in part of the Massachusetts Claim, . . . . .	504

Governor's Message, transmitting Resolutions of the Legislatures of several States, . . . . .	526
"        "        informing of Gen. Cromwell Washburn's resignation, . . . . .	527
Greene, Thomas A., paid for services as Bank Commissioner, . . . . .	524

## H.

Hobbs, Isaac, to receive deed of certain State land in Maine, . . . . .	489
Hopkins Charity, trustees of, provisions in favor of, . . . . .	525
Hopkinton, trustees of School Fund in, may sell certain real estate, . . . . .	489

## I.

Inches, Henderson, authorized to execute deed in behalf of certain minors, . . . . .	470
--	-----

## J.

Jeffries, John, guardian, authorized to execute deeds in behalf of a minor, . . . . .	471, 472
Jennings, Eliza, to receive balance of her late husband's pension, . . . . .	486
Joy, Hannah, executrix, may execute deeds in behalf of a minor, . . . . .	472

## K.

King, William, his accounts to be examined by Governor and Council, . . . . .	524
---	-----

## L.

Lands in Maine, grantees &c. of, allowed further time to settle, . . . . .	485
"        "        roads over, authorized, . . . . .	517
"        "        agents for selling, discharged from balance of accounts, . . . . .	521
Lawrence, Francis, allowance to, for services at State Prison, . . . . .	504
Low, John V., assistant messenger to Governor and Council, allowance to, . . . . .	526

# INDEX.

v

## M.

Maine, State of, payment to, provided for, on account of Massachusetts Claim, . . . . .	519
Massachusetts Agricultural Society, allowance to, . . . . .	514
Message of Governor, at commencement of Session, . . . . .	436
“ “ transmitting Resolutions of Legislature of Alabama, . . . . .	473
“ “ returning to Senate a Bill “to incorporate the Pigeon Cove Harbor Company,” . . . . .	476
“ “ transmitting certain documents from Maine, . . . . .	491
“ “ transmitting Resolutions of Legislature of Ohio, . . . . .	495
“ “ informing of the settlement, in part, of the Massachusetts Claim, . . . . .	504
“ “ transmitting Resolutions of Legislatures of several States, . . . . .	526
“ “ informing of Gen. Cromwell Washburn’s resignation, . . . . .	527
Messinger, Artemas S., a deaf and dumb child, to be placed at Asylum, . . . . .	497
Militia, better organization of, recommended, . . . . .	501
Mill Lane School District in Beverly, proceedings of, confirmed, . . . . .	520
Minot, William, and another, trustees, authorized to mortgage certain real estate, . . . . .	507
Morse, Nathan P. jr., a deaf and dumb child, to be placed at Asylum, . . . . .	488
Mulberry Tree, manual respecting growth of, to be compiled, . . . . .	515
Munroe, Jonas, administrator, may convey certain real estate, . . . . .	483

## N.

Northbridge, town of, allowance to, for support of paupers, . . . . .	518
---	-----

## P.

Parker, late Chief Justice, allowance to estate of, . . . . .	470
Pension granted to Martin Wheelock, . . . . .	477
“ balance of, granted to Eliza Jennings, . . . . .	486
“ granted to Samuel F. Arnold, . . . . .	492
Petersham, town of, allowance to, for support of paupers, . . . . .	496
Prison Discipline Society, 5th Report of, to be purchased for . . . . .	

Legislature, . . . . .	469
Procter, Nicholson, administrator, may file certificate of sale of real estate, &c., . . . . .	515

## R.

Rail Road from Boston to Lake Ontario, report respecting route for, to be purchased, . . . . .	469
Revolutionary Soldiers, lands granted to, further provisions re- specting location of, . . . . .	487
Rolls of Accounts, audited by Committee of Accounts, and by Treasurer, . . . . .	529, 535, 559, 563

## S.

Sandwich Monthly Meeting, overseers of, may sell certain real estate, . . . . .	486
School Fund in Hopkinton, trustees of, may sell certain real es- tate, . . . . .	489
Secretary, directed to purchase Report respecting Rail Road from Boston to Lake Ontario, . . . . .	469
Secretary directed to purchase 5th Report of Prison Discipline Society, . . . . .	469
Secretary directed to furnish certain Books to Courts in Barn- stable County, . . . . .	502
Secretary directed to supply certain towns with complete sets of Reports, . . . . .	510
Silk, culture of, manual to be compiled, respecting, . . . . .	515
Springfield, doings of town of, confirmed, . . . . .	488
State House, a Fire Proof Edifice to be connected with, . . . . .	511
State Prison, appropriation for, . . . . .	514
Stone, Theodore, guardian, authorized to convey certain real estate, . . . . .	492
Stubbs, E. A. K. a deaf and dumb child, to be placed at Asylum, . . . . .	509
Survey of the Commonwealth, further provisions respecting, . . . . .	479
Surveyor of the Commonwealth, directed with regard to a por- tion of the town of Chilmark, . . . . .	490
Surveys of towns, further time allowed for returning, . . . . .	494
Surveys of unincorporated tracts, &c. to be made, . . . . .	495

## INDEX.

vii

### T.

Taxes granted to the several Counties, . . . . .	500
Towns allowed further time to return plans, &c., . . . . .	494
Towns to be furnished with complete sets of the Term Reports, . . . . .	510
Treasurer authorized to borrow money, . . . . .	478
" directed to refund certain auction duties, . . . . .	484
Tufts, Turell, administrator, may file certificate of sale of real estate, &c. . . . .	516

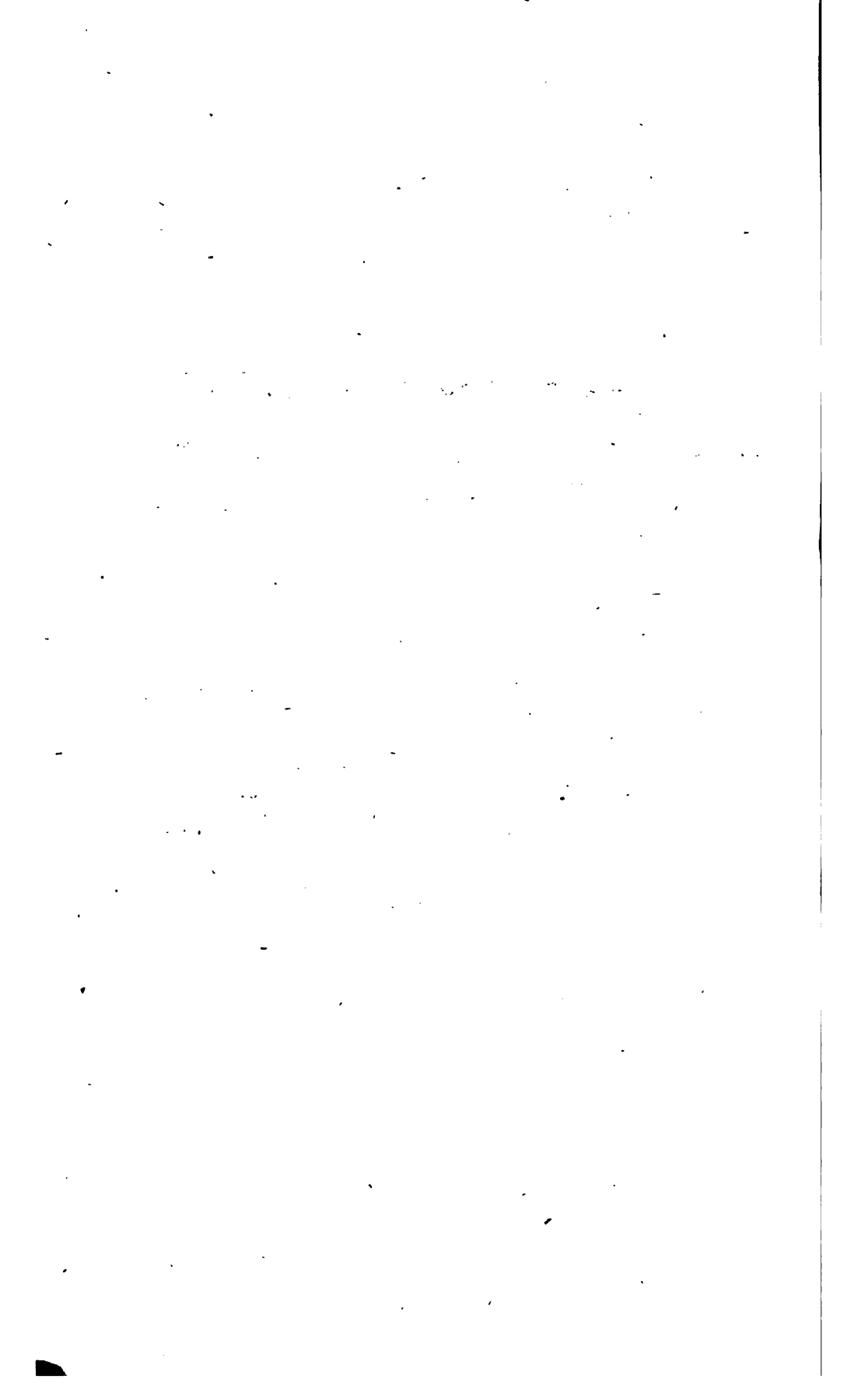
### U.

Unincorporated tracts of land, surveys of, to be made, . . . . .	495
--	-----

### W.

Wheelock, Martin, pension granted to, . . . . .	477
Winchendon, town of, allowance to, for support of paupers, . . . . .	496
Wing, Joshua, and others, Overseers &c. may convey certain real estate, . . . . .	486
Withington, Relief, guardian, authorized to sell certain real estate, . . . . .	493





# RESOLVES

OF

## THE GENERAL COURT

OF THE

### Commonwealth of Massachusetts,

PASSED AT THEIR SESSION,

WHICH COMMENCED ON WEDNESDAY, THE TWENTY-FIFTH OF MAY, AND ENDED  
ON THURSDAY, THE TWENTY-THIRD OF JUNE, ONE THOUSAND EIGHT  
HUNDRED AND THIRTY-ONE.

---

Published agreeably to a Resolve of the sixteenth January, 1812.

---



**Boston:**

DUTTON AND WENTWORTH, PRINTERS TO THE STATE.

.....  
1831.

and the other side of the  
the other side of the  
the other side of the

**CIVIL GOVERNMENT**  
OF THE  
**Commonwealth of Massachusetts,**  
FOR THE POLITICAL YEAR 1831.

---

HIS EXCELLENCY  
**LEVI LINCOLN, ESQUIRE,**  
GOVERNOR.

---

HIS HONOR  
**THOMAS L. WINTHROP, ESQ.**  
LIEUTENANT GOVERNOR.

---

COUNCIL.  
HON. RUSSEL FREEMAN,  
“ AARON HOBART,  
“ BEZALEEL TAFT, JUN.  
“ JAMES SAVAGE,  
“ JOSEPH KITTREDGE,  
“ JONATHAN DWIGHT, JUN.  
“ JOSIAH J. FISKE,  
“ JOHN LOCKE,  
“ HENRY HUBBARD.

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**EDWARD D. BANGS, ESQUIRE,**  
*Secretary of the Commonwealth.*  
**JOSEPH SEWALL, ESQUIRE,**  
*Treasurer and Receiver General of the Commonwealth.*

## **SENATE.**

---

**HON. LEVERETT SALTONSTALL,**  
**PRESIDENT.**

---

### **SUFFOLK DISTRICT.**

Hon. Charles Wells,	Hon. James C. Merrill,
Alexander H. Everett,	Otis Everett,
George Blake,	Benj. T. Pickman.

### **ESSEX DISTRICT.**

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William Thorndike,	William Johnson, Jr.
Stephen C. Phillips,	Robert Cross.

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Daniel Richardson,	Francis Winship.
Charles Train,	

### **PLYMOUTH DISTRICT.**

Hon. Solomon Lincoln, Jr.	Hon. Samuel A. Turner.
---------------------------	------------------------

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John Endicott,	

### **BRISTOL DISTRICT.**

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Ebenezer Daggett,	

WORCESTER DISTRICT.

Hon. John W. Lincoln,	Hon. James Draper.
David Wilder,	Rufus Bullock.
William S. Hastings,	

HAMPSHIRE DISTRICT.

Hon. Chauncey Clarke,	Hon. Joseph Cummings.
-----------------------	-----------------------

HAMPDEN DISTRICT.

Hon. Enos Foote,	Hon. John Wyles.
------------------	------------------

FRANKLIN DISTRICT.

Hon. Elihu Hoyt,	Hon. Samuel C. Allen.
------------------	-----------------------

BERKSHIRE DISTRICT.

Hon. Wilbur Curtis,	Hon. Russell Brown.
---------------------	---------------------

BARNSTABLE DISTRICT.

Hon. John Doane.

NANTUCKET DISTRICT.

Hon. Barker Burnell.

---

CHARLES CALHOUN, *Clerk.*  
W. P. GRAGG, *Assistant Clerk.*  
REV. ALONZO POTTER, *Chaplain.*  
CHARLES C. CUTTING, *Page.*

# **HOUSE OF REPRESENTATIVES.**

---

**HON. WILLIAM B. CALHOUN,**  
**SPEAKER.**

---

## **COUNTY OF SUFFOLK.**

*Boston,*

Asa P. Adams,  
Joseph T. Adams,  
Thomas C. Amory,  
Samuel Appleton,  
Samuel T. Armstrong,  
Samuel Aspinwall,  
Samuel Austin, jr.  
Levi Bartlett,  
Francis Bassett,  
Daniel Baxter, jr.  
Adam Bent,  
Ninian C. Betton,  
John Binney,  
George Bond,  
James Bowdoin,  
Noah Brooks,  
Joseph T. Buckingham,  
David L. Child,  
John B. Davis,  
Joseph H. Dorr,  
Thomas Edmands,  
William H. Eliot,  
Jabez Ellis,  
Henry Farnam,

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Joshua B. Flint,  
Henry H. Fuller,  
Elbridge Gerry,  
George Hallet,  
Richard D. Harris,  
Prentiss Hobbs,  
Samuel Hubbard,  
George Jackson,  
Thomas Kendall,  
William Lawrence,  
Winslow Lewis,  
Charles Lincoln,  
Ebenezer H. Little,  
William P. Mason,  
Thomas Melvill,  
Thomas Minns,  
David Moody,  
Thomas Motley,  
Henry J. Oliver,  
William F. Otis,  
William Parker,  
John S. Perkins,  
Thomas W. Phillips,  
Edward G. Prescott,  
Jeffrey Richardson,  
James Ridgway,  
Benjamin Russell,  
Israel Thorndike, jr.  
Lynde M. Walter,  
Redford Webster,  
John B. Wells,  
John Wheelwright,  
Nathaniel L. Williams,



**576      HOUSE OF REPRESENTATIVES.**

<i>Boston,</i>	Edmund Wright, jr.
	Winslow Wright,
<i>Chelsea,</i>	Joseph Stowers,

**COUNTY OF ESSEX.**

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	Patten Sargent,
	Stephen Sargent, jr.
<i>Andover,</i>	Gayton P. Osgood,
<i>Beverly,</i>	Robert Rantoul,
<i>Boxford,</i>	Charles Peabody,
<i>Bradford,</i>	Jesse Kimball,
	George Savary,
<i>Danvers,</i>	John Page,
	Nathan Poor,
	John Preston,
	William Sutton,
<i>Essex,</i>	Elias Davison,
<i>Gloucester,</i>	Samuel Giles,
	John Gott,
	John Johnston,
	Ezra Leonard,
	Solomon Poole,
	Aaron Plumer,
	William Procter, jr.
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<i>Haverhill,</i>	Joseph Dennis,
<i>Ipswich,</i>	George W. Heard,
	William B. Breed,
<i>Lynn,</i>	Jonathan Buffum,
	Joseph Currier,
	Jacob Ingalls,

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Francis S. Newhall,  
Eleazer C. Richardson,  
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John Knight,  
William B. Adams,  
William Hawks,  
Frederick Robinson,  
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John Russ,

*Lynnfield,  
Manchester,  
Marblehead,*

*Methuen,  
Middleton,  
Newbury,*

Joseph Gerrish,  
Moses Little,  
Silas Moody,  
William S. Allen,  
Charles H. Balch,  
Thomas M. Clark,  
William Davis,  
William Faris,

*Newburyport,*

*Rowley,  
Salem,*

Holten J. Breed,  
Benjamin F. Browne,  
Nathaniel Frothingham,  
Asahel Huntington,  
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William Mansfield,  
Warwick Palfray, jr.  
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John Colby,  
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Reuben Evans,

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Wenham,  
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Moses Foster,  
Eliphalet Emery,  
Moses Newell,

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Ashby,  
Bedford,  
Billerica,  
Brighton,  
Burlington,  
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Abraham Edwards,  
John Merriam,  
Zadock Howe,  
Abraham Edwards,  
William Winn,  
Timothy Fuller,  
James Hayward,  
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Abraham P. Sherman,  
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Charlestown,*

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Edward Cutter,  
John Harris,  
Oliver Holden,  
Lot Pool,  
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Dracut,  
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Coburn Blood, jr.

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Abner Johnson,

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Lexington,*

*Lincoln,  
Littleton,  
Lowell,*

*Malden,  
Marlborough,  
Medford,  
Natick,  
Newton,*

*Pepperell,  
Reading,*

*Sherburne,  
Shirley,  
South Reading,  
Stoneham,  
Stow & Boxboro'*

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Tewksbury,  
Townsend,  
Tyngsborough,  
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*Watertown,*

*West Cambridge,*

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George Russell,  
Joel Marshall,  
Kirk Boott,  
Eliphalet Case,  
Artemas Holden,  
John S. C. Knowlton,  
John P. Robinson,  
Joshua Swan,  
Edward Wade,

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William Farriss,  
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Abel Jewett,  
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Lyman Biglow,  
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Amos Harrington,  
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Charles Bemis,  
Levi Thaxter,  
Benjamin Locke,

580      HOUSE OF REPRESENTATIVES.

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*Woburn,*

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Stephen Nichols,  
John Wade,

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*Barre,*

*Berlin,*  
*Bolton,*  
*Boylston,*  
*Brookfield,*  
*Charlton,*  
*Dana,*  
*Douglas,*  
*Dudley,*  
*Fitchburg,*

*Gardner,*  
*Grafton,*  
*Hardwick,*  
*Harvard,*  
*Holden,*  
*Hubbardston,*

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*Leicester,*

*Leominster,*

*Lunenburg,*

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Jonathan Winslow,  
Reuben Sibley,  
David Holman,  
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Zechariah Sheldon,  
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Harry Wood,

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Henry Prentiss,  
Moses Waite,  
Davis Whitman,  
John Hobart,  
John King,  
Wilder Carter,  
Carter Gates,

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<i>Millbury,</i>	Asa Waters, Simeon Waters,
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<i>Northbridge,</i>	Sylvanus Holbrook,
<i>North Brookfield,</i>	Tyler Batcheller,
<i>Oakham,</i>	Washington Allen,
<i>Oxford,</i>	Ira Barton, Alexander De Witt,
<i>Paxton,</i>	Tyler Goddard,
<i>Petersham,</i>	Joseph Gallond, Micajah Reed,
<i>Phillipston,</i>	Abel White,
<i>Princeton,</i>	Charles Russell,
<i>Royalston,</i>	Franklin Gregory,
<i>Rutland,</i>	Daniel King,
<i>Shrewsbury,</i>	Nymphas Pratt,
<i>Southboro'</i>	Francis B. Fay,
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<i>Spencer,</i>	Walton Livermore,
<i>Sterling,</i>	Moses Sawyer, Jonathan Wilder,
<i>Sturbridge,</i>	James Johnson, Roswell Warner,
<i>Sutton,</i>	Joshua Armsby, Jonas L. Sibley,
<i>Templeton,</i>	Samuel Lee,

*Upton,*  
*Uxbridge,*

Samuel Read,  
George Willard,

*Ward,*  
*Westborough,*  
*West Boylston,*  
*Western,*  
*Westminster,*

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Robert B. Thomas,  
Pardon Allen,  
Charles Hudson,  
Cyrus Winship,  
William Brown,  
Otis Corbet,  
Alfred D. Foster,  
Jubal Harrington,

*Winchendon,*  
*Worcester,*

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John Leland,

*Belchertown,*  
*Chesterfield,*  
*Cummington,*  
*Easthampton,*  
*Enfield,*  
*Granby,*  
*Goshen,*  
*Greenwich,*

Samuel Davis,  
Jonathan Dawes,  
Luther Clark,

Samuel Ayres,

*Hadley,*  
*Hatfield,*  
*Middlefield,*  
*Northampton,*  
*Norwich,*  
*Pelham,*  
*Plainfield,*  
*Prescott,*  
*South Hadley,*

Moses Porter,  
Oliver Smith,  
George W. McElwain,  
Eliphalet Williams,  
Joseph Stanton,  
Ziba Cook,  
Erastus Bates,  
Simon Stockwell,  
Joel Hayes,

*Southampton,*  
*Ware,*

*Westhampton,*  
*Williamsburg,*  
*Worthington,*

Timothy Clark,  
Aaron Gould,  
Joel Rice,  
Bela P. Clapp,  
Elisha Hubbard, Jr.  
William Ward,

## COUNTY OF HAMPDEN.

*Blandford,*  
*Brinfield,*

*Chester,*  
*Granville,*  
*Longmeadow,*  
*Ludlow,*  
*Monson,*  
*Montgomery,*  
*Palmer,*  
*Russell,*  
*Southwick,*  
*Springfield,*

*Tolland,*  
*Wales and Holland,*  
*Westfield,*

*West Springfield,*  
*Wilbraham,*

Orin Sage,  
Issachar Brown,  
Festus Foster,  
William Henry,  
Jonathan B. Bancroft,  
Elisha Burnham,  
Theodore Sikes,  
Philip Gage,  
John Crow,  
Joseph Lee,

Amasa Holcomb,  
George Bliss,  
James Byers,  
William B. Calhoun,  
William Child,  
Silas Stedman,  
Eleazer Williams,  
Henry Bliss,  
Charles Gardner,  
Elias Cadwell,  
Henry Fowler,  
James Kent,  
Moses Burt,  
William S. Burt.



## COUNTY OF FRANKLIN.

<i>Ashfield,</i>	Henry Bassett,
	Roswell Ranney,
<i>Bernardston,</i>	John Brooks,
<i>Buckland,</i>	John Porter,
<i>Charlemont,</i>	John Fisher,
<i>Colraine,</i>	John Wilson,
<i>Conway,</i>	Charles E. Billings,
<i>Deerfield,</i>	Stephen Whitney,
<i>Gill,</i>	
<i>Greenfield,</i>	Isaac Newton, 2d.
	Thomas Nims,
<i>Hawley,</i>	Edmund Longley, Jr.
<i>Heath,</i>	Samuel Hastings,
<i>Leverett,</i>	Isaac Woodbury,
<i>Leyden,</i>	Elisha Chapin,
<i>Monroe,</i>	
<i>Montague,</i>	Jonathan Hartwell,
<i>New Salem,</i>	Ebenezer Torrey,
<i>Northfield,</i>	Isaac Prior,
<i>Orange,</i>	Parley Barton,
<i>Rowe,</i>	Noah Wells,
<i>Shelburne,</i>	Ira Arms,
<i>Shutesbury,</i>	Benjamin Winter, Jr.
<i>Sunderland,</i>	Gardner Dorrance,
<i>Warwick,</i>	Joseph Stevens,
<i>Wendell,</i>	Jonathan Brown,
<i>Whately,</i>	Thomas Crafts,

## COUNTY OF BERKSHIRE.

<i>Adams,</i>	William E. Brayton,
	Isaac U. Hoxie,

*Adams,*  
*Alford,*  
*Becket,*  
*Cheshire,*  
*Clarksburg,*  
*Dalton,*  
*Egremont,*  
*Florida,*  
*Great Barrington,*  
*Hancock,*  
*Hinsdale,*  
*Lanesborough,*  
*Lee,*  
  
*Lenox,*  
*Mount Washington,*  
*New Ashford,*  
*New Marlboro'*  
*Otis,*  
*Peru,*  
*Pittsfield,*  
  
  
*Richmond,*  
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*Savoy,*  
*Sheffield,*  
*Stockbridge,*  
*Tyringham,*  
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*West Stockbridge,*  
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Zenas Crane,  
Joel Crippen,  
  
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Cyrus Stowell,  
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Jirch Stearns,  
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Josiah Allen.

## COUNTY OF NORFOLK.

*Bellingham,*  
*Braintree,*  
*Brookline,*  
*Canton,*  
*Cohasset,*  
*Dedham,*  
*Dorchester,*

*Foxborough,*  
*Franklin,*  
*Medfield and Dover,*  
*Milton,*  
*Medway,*

*Needham,*  
*Quincy,*  
*Randolph,*

*Roxbury,*

*Sharon,*  
*Stoughton,*  
*Walpole,*  
*Weymouth,*

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Joseph Richards,  
John Robinson,  
Elijah Spare,  
Nicholas Tower,  
Theron Metcalf,  
Ebenezer Clap,  
Benjamin Fuller,  
Samuel P. Loud,  
Stephen Robinson,  
Melatiah Everett,  
Willis Fisher,  
Calvin Richards,  
John Ruggles,  
Warren Lovering,  
Joseph L. Richardson,  
Charles Rice,  
John Souther,  
David Brigham,  
Seth Mann,  
John Champney,  
Isaac Davis,  
Jonathan Dorr,  
Charles Durant,  
Samuel J. Gardner,  
Benjamin P. Williams,  
Jeremiah Richards,  
Abner Drake,  
Joseph Hawes,  
Lemuel Humphrey,

*Weymouth,**Wrentham,*

Leonard Tirrell,  
Noah Torrey,  
Oliver Felt,  
Lucas Pond,  
Allen Tillinghast.

## COUNTY OF BRISTOL.

*Attleborough,**Berkley,**Dartmouth,**Dighton,**Easton,**Fairhaven,**Freetown,**Mansfield,**New Bedford,*

Abijah M. Ide,  
Adoniram Crane,  
Joseph Gifford,  
Nehemiah Walker,  
Elijah Howard, Jr.  
Joseph Whelden,  
Ephraim Atwood,  
Hezekiah Skinner,  
Thomas A. Greene,  
Benjamin Lincoln,  
Thomas Mandell,  
Charles W. Morgan,  
William C. Nye,  
Cromwell Leonard,  
Elijah Ingraham,

*Norton,**Pawtucket,**Raynham,**Rehoboth,**Seekonk,*

Wooster Carpenter,  
Seth Whitmarsh,

*Somerset,**Swansey,**Taunton,**Troy,*

John Earl,  
Benajah Mason,  
Francis Baylies,  
Nathaniel B. Borden,  
Foster Hooper,  
Frederick Winslow,

588      HOUSE OF REPRESENTATIVES.

*Westport,*

Abner B. Gifford,  
James H. Handy.

COUNTY OF PLYMOUTH.

*Abington,*

James Bates,  
John Cushing,  
Micah Pool,

*Bridgewater,*

Nathan Lazell, Jr.  
Holmes Sprague,

*Carver,*

Lewis Pratt,

*Duxbury,*

Seth Sprague, Jr.

*East Bridgewater,*

Gershom B. Weston,

*Halifax,*

Ezra Kingman,  
Jabez P. Thompson,

*Hanover,*

William Morse,

*Hanson,*

Joshua Smith,

*Hingham,*

Marshal Lincoln,

Thomas Loring,

Nicholas B. Whitney,

*Hull,*

*Kingston,*

Spencer Bradford,

*Marshfield,*

John Ford, Jr.

Edward P. Little,

*Middleboro'*

Elisha Clarke, Jr.

Hercules Cushman,

Ziba Eaton,

Andrew Haskins,

Silas Pickens,

Samuel Thompson,

*North Bridgewater,*

Eliphalet Kingman,

Jesse Perkins,

*Pembroke,*

Morrill Allen,

<i>Plymouth,</i>	Isaac Bartlett, James Collins, Jr. Allen Danforth, Caleb Rider, Bridgham Russell, Jonathan Parker, Joseph Meigs, Ebenezer T. Fogg, Samuel Tolman, Jr. John B. Turner, Thomas Savary, William Baylies.
<i>Plympton, Rochester, Scituate,</i>	
<i>Wareham, West Bridgewater,</i>	

## COUNTY OF BARNSTABLE.

<i>Barnstable,</i>	Henry Crocker, David Hinkley, William Lewis, Charles Marston, Jeremiah Mayo, Joseph Atwood, Joshua Nickerson, John Baker, Oren Howes, Samuel Knowles, Thomas Fish, Elijah Swift, Isaiah Chase, James Long, Sparrow Horton, John Kenrick, Isaac Small, Shadrack Freeman, John Kenny,
<i>Brewster, Chatham,</i>	
<i>Dennis,</i>	
<i>Eastham, Falmouth,</i>	
<i>Harwich,</i>	
<i>Orleans,</i>	
<i>Provincetown, Sandwich, Truro,</i>	

*Truro,*  
*Wellfleet,*

*Yarmouth,*

James Small,  
Thomas Holbrook, 2d.  
Benjamin R. Witherell,  
Isaiah Crowell,  
Charles Hallett.

## DUKES' COUNTY.

*Chilmark,*  
*Edgartown,*  
*Tisbury,*

Smith Mayhew,  
Leavitt Thaxter,  
Eliakim Norton.

## COUNTY OF NANTUCKET.

*Nantucket,*

Hezekiah Barnard,  
David Baxter,  
Isaac Folger.

---

PELHAM W. WARREN, *Clerk.*

---

JACOB KUHN, *Messenger to the General Court.*  
ELIJAH W. CUTTING, *Assistant Messenger.*  
CHARLES PITTS, *Page to the House.*

**RESOLVES**  
**OF**  
**THE GENERAL COURT**  
**OF THE**  
**COMMONWEALTH OF MASSACHUSETTS.**  
**PASSED AT THEIR SESSION,**  
**WHICH COMMENCED ON WEDNESDAY, THE TWENTY-FIFTH OF MAY, AND ENDED**  
**ON THURSDAY, THE TWENTY-THIRD OF JUNE, ONE THOUSAND**  
**EIGHT HUNDRED AND THIRTY-ONE.**

---

**GOVERNOR'S SPEECH.**

---

REPRESENTATIVES' CHAMBER, MAY 30, 1831.

*The two Houses having assembled in Convention, agreeably to assignment, His Excellency the Governor came in, preceded by the Sheriff of Suffolk, and attended by His Honor the Lieutenant Governor, the Honorable Council, and the Secretary, Treasurer, and Adjutant General, and delivered the following*

**SPEECH :**

*Gentlemen of the Senate, and*

*Gentlemen of the House of Representatives :*

It is hardly more than the brief space of two months, since your predecessors, on retiring from the seats which you occupy in these halls, announced, that they had



passed upon all the public business, which the situation and interests of the Commonwealth required. The intervening period between that and the present moment, fruitful as it has been in surprising and momentous events of general political concernment, has yet produced few new subjects for local legislation. I might, therefore, seem well excused from a formal address to you, on this occasion, but for a venerable custom, hallowed by feeling and hitherto honored in the observance, which, on the annual organization of the Government, calls upon the individual, designated by the suffrages of his fellow-citizens to the first Executive Office in the State, to offer to his constituents an expression of respectful and grateful acknowledgment, and in this presence, personally to pledge himself, in faithfulness and diligence, with integrity of heart, and the best powers of his understanding, to the assigned duties of his station. This renewed acknowledgment, deeply felt, and more than doubly due for repeated proofs of unmerited favor manifested towards me, and this pledge of fidelity again humbly tendered in the singleness and sincerity of a devoted purpose, I now pray you, as the Representatives of those constituents, to accept.

But notwithstanding the attention given by the last Legislature to matters of former discussion, there are some, and those not the least interesting, which, for want of a definite and ultimate disposition of them, remain for your consideration. The great measure of State amendment and reform, demanded by the universal expression of public sentiment, is in a reduction of the House of Representatives. The experience of every year, and of none more authoritatively than the past, shows the practical inconvenience of the existing apportionment of representation. A deliberative body, greater than can

be accommodated within the hall of its sittings, fluctuating and changing, both in the numbers and character of its members, irresponsible in their individual relation to measures, liable to be affected by every local and partial cause of popular excitement, slow in the progress of debate, uncertain and dilatory in decision, is an evil of such pernicious tendency, that the intelligence of the community will not long endure its continuance. The expense too, when the cost of legislation becomes to the full one third of the whole support of the government, is a well grounded cause of objection, which a spirit of republican economy should not be slow to remove. Through all the debates, which have so frequently and earnestly been had, on this subject, there has scarce been a diversity of opinion expressed, in respect to the expediency of reducing, by an amendment of the constitution, this unwieldy and cumbrous delegation. The manner in which it is to be effected has been the only point of difficulty. And will discerning and wise politicians permit themselves perpetually to differ in this particular? Being agreed in the principal matter, shall the incident, the mere mode of providing the remedy, be the insuperable occasion for forever submitting to an acknowledged public defect? For myself, early and strong as have been my predilections for a particular form of relief, I would yield whatever is short of a surrender of the principle of equal representation, and a security to every citizen of the personal right of being represented, to the object of the amendment. The measure seems to me, more than any other, to concern the future tranquillity and welfare of the Commonwealth. It cannot cease to be a topic of excitement until it shall be accomplished. The inevitable consequences of a continuance of the present system must be a constantly

increasing House of Representatives, protracted sessions, augmented and grievous expense, and from these, if no other causes, an unsatisfactory administration of the government. The preventive will be found in the adoption of a just and equal apportionment of Representatives upon such ratio of population as shall limit the House to a reasonable and convenient number of members. But to effect this, there must be mutual concession and compromise of opinions, a disinterested and patriotic surrender of personal preferences and interests, and a generous and elevated sentiment of regard for the public good. It was, indeed, in this manner, and by such a spirit, that the frame of our government was originally constructed, and the same pure and noble principles of patriotism and of duty, which distinguished its authors and the period of its adoption, may now secure its modification, and better conformity to the state of population, and the condition and occasions of society, which the changes of time have produced. I respectfully submit to you, therefore, that the importance of the subject, in connexion with the consideration that an attention to it, by the present legislature, may result in greatly hastening the relief so earnestly desired, should be an inducement, even at this unusual season for engaging in matters productive of elaborate and protracted debate, to attempt the first step in this process of amendment.

In compliance with a Resolve of the last Legislature, Commissioners were appointed by the Executive, "to consider the expediency of providing by law for the more equal and equitable distribution of the estates of Insolvent Debtors, for the abolishing imprisonment for debt in all proper cases, and for making such further revision in the existing laws, touching Debtor and Creditor, as

the Commissioners may deem expedient and proper." The broad scope of this authority, and the great interest and importance of the subjects it embraced, required that it should be committed, with more than common caution, to discreet and able hands. The learning, professional skill, liberal yet just opinions, and practical observation, which will be found united in the character of the constituted Board of Commissioners, bespeak for their report your most favorable consideration. It is promised immediately, and will be transmitted to you without delay, and I cannot but urgently recommend, that it should receive that attention, which is alike the dictate of sympathy for the unfortunate, and of sound policy in reference to the business and requirements of the community. Both creditor and debtor are concerned in a revision and modification of the existing laws, and in the enactment, on the one hand, of new securities against fraud, and the interposition, on the other, of a more effectual shield from oppression. It has long been felt and lamented, that, by a process of familiar resort, in a deed of assignment, property may now be secured to the dishonest, beyond the reach of justice, and, by an abuse of the power of coercion, in the imprisonment of person, misery may be inflicted upon the destitute, to the gratification of avarice or malice. Far removed from such ends are the just purposes of a wise government, and it is no less due to the character of our jurisprudence, than to the true interests of the people, that neither temptation, nor opportunity, should be allowed to elude or pervert those purposes. The subject is, indeed, one of much delicacy and difficulty for legislation, but the public mind will, at least, be instructed, and the moral sentiment aroused by its discussion, and even should no determinate measure of remedy for present evils be, at

once, adopted, the existence of them being made better understood, their removal will the sooner be effected.

The change which will be occasioned in the commencement of the political year, by the amendment of the constitution, now unquestionably decided by the votes of the people, may appear, at first view, to create some embarrassment in the way of a convenient and seasonable execution of the prescribed duty of making a valuation of the property of the Commonwealth. It is true, the business cannot be completed by the present legislature, without the unexpected and objectionable measure of a special session of this numerous body. The lists of the assessors, which are to furnish the enumeration of the various descriptions of property to be included in the valuation, and are made the basis of all the subsequent proceedings, are not returnable to the secretary's office before the first of October next, and until these are received no advance can be made in the estimates. But to omit, at this time, all attention to the subject, may seriously delay and embarrass the performance of the duty by the next legislature. The House of Representatives, in the present manner of its constitution, will hardly be reduced, while this matter of general concern remains to be disposed of. The valuation has too direct a bearing upon the relative interests, both of municipal corporations and of individuals, in their liability to the public burdens, as well as upon the political rights of the citizens in their share of influence in one department of the government, to be regarded with an indifference which will permit, while this matter is pending, a voluntary diminution of the representation. The next legislature, therefore, will doubtless be as numerous, and probably even more so than the present, and increased prejudice will result to the public inter-

est, should there be no preparation, in the intermediate time, other than by a mere return of the lists of the assessors, towards ascertaining the valuation. It would be made immediately necessary, upon the organization of the government for the new year, to appoint a committee for this purpose, and thus either to withdraw some of the most able and efficient members from the general business of legislation, while the legislature itself should await in session the slow progress of their labors, or, by an adjournment to give opportunity for the service, incur the expense of an extra session for the sole object of receiving and acting upon their report.

Upon very careful consideration, it is not perceived that any practical objection can be opposed to the adoption of a middle course between an adjournment of the present legislature to settle the valuation, and leaving the whole subject for attention to another General Court. May not a committee be now constituted, in the character of a commission, to receive the lists of the assessors, and with instructions to prepare therefrom, in the usual manner, schedules and estimates of the relative and aggregate value of the rateable property in the city, towns and districts, respectively, of the Commonwealth, and having completed the work, to return the lists with their report to the office of the secretary? Over this report the succeeding legislature would have the same control as over the lists of the assessors. Each, alike, would be prepared for their use. Both would be laid before them. They would be referred to for information only. Neither would be obligatory upon their mode of action. The legislature might at pleasure even reject the returns of the assessors and direct new lists to be taken, and it can be no less competent to them, at their election, to be assisted by the

report of the committee. The doings of the latter will be but advisory, in matter of fact, to the authority to which they are submitted, and preparatory to the work to be accomplished. The valuation, and that only, is the duty required by the constitution, and the evidence upon which it is made can in no wise affect its validity. The course which is proposed may be unusual, and in strictness not altogether parliamentary; but if there is no more weighty objection, the convenience and expediency of adopting it will alone deserve serious consideration. The difficulty, which has often been stated as arising from the peculiarity of present circumstances, has induced me, with much diffidence, to make these suggestions, and my whole object will be answered if they shall but aid your deliberations upon the subject.

A representation made to me, by the land agent of the Commonwealth, of extensive trespasses recently committed upon the public lands in the neighborhood of the St. John's River and its tributaries, in the state of Maine, requires, that I should present to you the occasion for the interposition of the authority of the legislature, to their prevention in future. Many of those streams are navigable with boats far inland, and the valuable timber on their banks, being easily obtained, is greatly exposed to depredation. No degree of vigilance, which an agent can exercise, will altogether ensure its protection. But the same policy, which the government has applied to the management of the less remote lands, extended to these, will probably be the most effectual. By the sale of licenses to cut timber, it has been found, that while the value is generally obtained, less is often taken from the lands, than otherwise would have been lost, by being plundered. The purchaser becomes interested in protecting his lot, that he

may save to himself the advantage of his bargain in the quantity of lumber, and, buying himself, he will see that others do not obtain it without price from contiguous lots, to be enabled to undersell him in the traffic of the market. Hence he is induced to detect and expose the lawless trespassor. Every purchaser thus becomes a watchman over the property of the state, and the timber is preserved, or its equivalent secured, by reason of the interest if not the honesty of dealers. An authority therefore to the agent, to sell permits for cutting on the lands of the state, in the neighborhood of the St. John's, Presque Isle, Machias and Aroostook Rivers, and to take measures for the prevention or punishment of trespasses thereon, is, at this time, manifestly expedient.

It has also been suggested, that highly advantageous sales of land might be effected, by surveying several well selected townships into lots and offering them to actual settlers at a *minimum* price by the acre. This plan I beg permission to refer to your inquiry and consideration. If it should be approved, the land agent might cause the surveys and make the sales, without interference with the other business of his office.

From the interest which the Commonwealth might be presumed to have in the settlement of the controverted question of the North Eastern Boundary of the United States, not only as a member of the confederacy, but as a proprietor in common with the state of Maine, claiming the property in the soil of the disputed territory, I felt it a duty to seek the earliest information of any decision which had been made in the case. With this view, a letter was addressed by me to the President, respectfully requesting such communications on the subject, as in his judgment would not be incompatible



with the public welfare. In compliance with this request, I have very recently been furnished, through the department of state, with a copy of the award of the distinguished Arbiter, to whom the respective governments of the United States and Great Britain had referred the decision of the question, and with accompanying voluminous documents, containing the statements and arguments on behalf of the parties; all of which will now be submitted for the information of the legislature, as the constituted guardian of the rights of the State.

It does not appear, that the decision of the Arbiter has, as yet, been accepted by either government. From a comparison of the terms of the submission with the award, it must be manifest, that this is altogether at their option, and will be obligatory, only, when concurred in by both. There is no more sound or better established principle of political as well as municipal law, than, that an award, to be binding, must pursue the submission. The Arbiter himself hardly professes that, in the present case, this has been done. The subject in difference was the practical application of a plain and well defined description of boundary to the face of the country. The whole controversy depended upon the ascertainment of the single point, where a due north line, extended from the source of the River St. Croix, would terminate at the highlands, in conformity with the expression in the treaty of 1783;—for this point being found, the course of boundary could be followed without difficulty. The authority to the Arbiter was derived under the fifth article in the treaty of Ghent of 1814, which article respected the mode of settling the boundary, according to the description of the former treaty, and a convention, agreed upon in 1827, for carrying

that article into effect. It was a *limited and strict authority*. The commission to the Arbiter had no broader scope, in this particular, than to satisfy the language used in the treaty, by applying it to the certain indications of the country. To determine the actual locality of a *pre-existing* line, and not to create and define a new one, was the object of the reference. This indeed was all which the government of the nation had the power to submit. The true boundary of the United States, on this quarter, was the boundary of the state of Maine also. The sovereignty of the latter was commensurate with the limits of the territory and jurisdiction of the former, and, with these, the right of property in the soil, in Maine and Massachusetts, was coincident. It lay no more in the power of the general government to surrender the most remote acre of this property, than to cede the capital of either state. And much less could this power be delegated to a foreign Arbiter. But the award has adopted a new boundary, confessedly neither conforming to the treaty, nor contended for by either of the parties. The Arbiter, in lieu of the Highlands, has terminated the line, north of the St. Croix, in the bed of a river, and substituted its channel for a ridge of land dividing the waters which empty themselves into the St. Lawrence, from those which fall into the Atlantic Ocean. A greater departure from the express letter of an authority cannot well be imagined. The special and only purpose of the reference has been wholly unsatisfied, and the question, where are the Highlands which constitute the true boundary between the United States and the British Provinces, is no better settled than before the arbitrament. To the pretensions of the states directly interested the award offers the greatest violence. It curtails Maine of its ample dimensions, already, in

anticipation, spread over with a hardy and vigorous population, raising her to the first rank in strength and greatness or adding another member to the family of states, abridges her jurisdiction within the present limits of its accustomed exercise, and assigns a property in two millions of acres of land claimed by her and Massachusetts to an adversary party. It will be seen in the documents, that the Minister Plenipotentiary of the United States resident near the King of the Netherlands, promptly protested against the award, and it is now understood, that the determination of our own government awaits his return, for expected explanations upon the subject. In this situation of the business, I know not that any thing is required, or can with propriety be done here. I have been but too recently and too imperfectly advised in the matter, to invite you to any definite action. It may be sufficient for the security of the future rights of the state, that neither the authority of the Arbiter shall be admitted, nor the validity of his decree be assented to, by us. If the award is to be accepted, it seems to me it must be upon the consent of the states affected by the issue, and in compliance with a recommendation to the compromise and termination of a controversy, rather than in submission to a judgment which might not be rejected. In this point of view, if no other, it is proper that the subject should be brought before you, that it may receive your present consideration, and be hereafter under the direction of the legislature, in reference to the measures which circumstances, at any time, may render necessary.

Since the communication made by me to the last legislature of the payment by the United States, of a sum exceeding *Four Hundred and Nineteen Thousand dollars*, towards the claim of the state for militia services dur-

ing the late war, I have received from the Honorable Mr Davis, to whom the management of this business was confided, a particular, elaborate and interesting historic report of his proceedings in the conduct of his agency, together with the decisions of the Secretary of War upon the subject. It is thus made to appear, that the allowance by the Secretary was to the full amount of the appropriation by Congress, of *four hundred and thirty thousand, seven hundred and forty-eight dollars, and twenty-six cents*. But upon recurring to the books of the treasury it was found, that, soon after the close of the war, the sum of *eleven thousand dollars* had been paid to an authorized agent of the state, by order of the President, on account of a small portion of the services, which were deemed by him not to fall within the objections to other parts of the claim, and that this had been charged as an advancement *generally*, while the items of the service continued to make a part of the account, and were in fact included in the allowance. In the payment, therefore, this sum was deducted from the amount allowed, and constitutes the exact difference between the appropriation and the money last received. It is not perceived that any objection could have been well urged to this direction of the Secretary. The state has obtained, on account of the claim, as it was exhibited, the full sum which the act of Congress provided towards its payment.

But although the payment was thus limited by the appropriation, yet as the Act of Congress, in its very terms, contained an authority for the examination and settlement of the claim generally, it was manifest, that the intention was to provide for an adjustment and determination of the controversy between the Governments, by a final liquidation of the whole account. The result of

a previous *ex parte* auditing had been assumed, for the mere purpose of fixing a sum for the appropriation, but that result was not adopted with a view to impose any restriction upon the rights of the State. On the contrary, the authority to the Secretary to cause the claim to be again examined, excluded a reference to former proceedings, and subjected the case, under the direction of this Officer, to a new process of investigation. When the decision of the Secretary was made known to the agent, it was distinctly seen, that the allowances had been confined exclusively to those charges in the account which had been found admissible upon the previous auditing. These only had been the subject of revision, and had again passed the scrutiny of a strict examination, both upon principle, and in the proofs. A large amount remained yet wholly untouched. The agent now proposed to the Secretary that, as to this part of the account, the examination should be proceeded in, and strenuously urged, in an able, and, as I trust it will appear to you, conclusive argument, that such was the meaning and intention of the Act of Congress. He represented, that, in point of fact, many of the services were of the precise character, and could be maintained by the same satisfactory evidence, with those which had been allowed; that the arrangement and classification of them, under the former auditing, had been conducted upon different principles and under another direction than the present reference, and entirely without opportunity for explanation or hearing, at the time, on the part of the state, and, that, even upon such examination, the auditor had reported them but in part inadmissible, and in part suspended for further inquiry only. The agent, therefore, earnestly requested that he might now be admitted to endeavor to remove

the objection to the charges which, under such circumstances, had been supposed to be inadmissible, and to support and establish those which were suspended for consideration or proof. To this request the Secretary ultimately declined to accede, upon the ground of want of authority, both by reason of the limitation of the appropriation which had already been satisfied, and upon a construction given by him to the terms of the act, which restrained its application to the *personal services only* of the troops, that is, to their mere pay or wages, to the exclusion of rations, forage, fuel, transportation, hospital stores, munitions, &c.;—a construction, not only unexpected and extraordinary, but which had been either wholly overlooked or practically disregarded, in the very allowances just before made.

The report of the agent, with the letters of correspondence appended and referred to therein, will explain the points in difference between him and the Secretary, and enable you to judge, with what pertinency or force the objection to proceeding to the full examination and settlement of the whole claim was taken by the latter. The agent will be instructed, in proper time, to present the subject again to the head of the department, and if, from deference to the decision which has been had, or from any other cause, the appeal shall be ineffectual, relief must be sought in the interposition of Congress. That it will be obtained, here, there is no room to doubt. A large part of the unsatisfied balance is susceptible of as clear and certain evidence in its support, as any part of the account which has been admitted and paid. It is exposed to no objection in principle, which the late Act of Congress did not remove, and much is of a character to be the most favorably regarded. The justice of the Nation, and the faith of the

government, are now alike pledged to its equitable settlement.

The money received from the general government has been disposed of, in the manner directed by sundry resolves of the legislature. After deducting from the amount sufficient to indemnify the Commonwealth for charges heretofore paid, and for future probable expenses in the prosecution of the claim, the sum of one hundred and thirty-two thousand, two hundred dollars, being one third of the balance, has been paid to the state of Maine. Two hundred and eighty-one thousand dollars, the remaining two-thirds, inclusive of the sum retained for past expenses, has been invested in loans to various banks in the city of Boston, upon negotiable notes bearing an interest of five per cent. per annum, payable semi-annually. Of this latter amount, one hundred and forty-eight thousand dollars is made redeemable in twenty years. The notes for the residue were taken, at first, on demand, but others are to be substituted payable at the same distant period, as soon as an arrangement can be made for their exchange. This mode of investment was advised by experienced and skilful financiers, in preference to a subscription, on the part of the state, to the stock in the banks. It will be less troublesome, and probably, equally productive. Securities payable at so remote a period, may, at any moment, advantageously be converted into money in the market, and at this time, especially, would command a considerable advance upon their nominal value. The investment as a permanent one is altogether safe and at as high a rate of interest as could be obtained.

I have thus far, gentlemen, ventured upon your indulgence while I have adverted to subjects, which, from their prominent and acknowledged importance, or their

special urgency, have the first and highest claim to your attention. It cannot be useful, nor would it comport with the respect which is due to a recent expression of public sentiment, to propose matters for consideration at this time, which may be postponed, without prejudice, to a more leisure season.

The frequency and freedom of our political elections afford constant opportunity for becoming acquainted with the proper objects for future as well as the defects of past legislation. Complaints which, at any time, are heard from constituents, demand the notice, and should receive the willing and faithful investigation of a representative government. The excessive expenditures of the state have been the recent occasion of much just discontent, and of no little excitement, in the community. A careful examination has discovered, that the great sources of these expenses were in the frequency of the sessions of the legislature, and the number of members, in the charges for the support of state paupers, and in the balances of the accounts of county-treasurers, the latter resulting, in a great degree, from the distribution of the judicial powers in reference to the administration of the criminal law, and the prescribed and limited jurisdiction of the subordinate tribunals of justice. Several of these causes are already removed or greatly diminished. The work of retrenchment, so judiciously commenced the last year, may usefully be pursued, and by a further amendment of the constitution and a salutary revision of the laws, which continue to occasion heavy disbursements, reductions may doubtless be made, without trenching upon the wise provisions and restrictions of the constitution, or withholding necessary contributions to the encouragement of valuable objects, or a just equivalent for responsible public services. The first



step in the process of reform is to understand the true character of the evil to be corrected. The full measure of redress is ultimately with the people themselves. The constitution is theirs, to be perpetuated in its defects if any there are, or altered and improved, at their pleasure. The laws are under their control, through the influence of the elections, which clothe with authority those who enact them ; and by the obligation of submission to this constitution, and to these laws, the administration of the government itself, in all its departments, is subservient to the popular will.

In assembling, gentlemen, on this occasion, to review the situation, and take counsel for the welfare of the Commonwealth, we cannot but feel how great is the cause for congratulation in the unrivalled prosperity and happiness of our whole, widely extended country. Whatever doubts or fears may, at any time, be excited by the disquiet of our domestic politics, there is over all a prevailing confidence in the intelligence, virtue, patriotism of the people. Their Institutions of Government, their love of order, and above all, their principles of moral action, secure to them the continuance of those equal rights and high privileges, for the attainment of which, every other civilized nation of the globe seems now agitated to revolution. While ancient dynasties and kingdoms are, in corruption, tottering to their fall, or, by violence, are suddenly thrown from their foundations, this only true Republic, governed by laws, reposing in peace, with the vigor of manhood in the freshness of youth, is pressing forward with surpassing energy, in developing the resources of her power, and strengthening the securities for her future greatness and glory. Every where the hand of industry is rewarded, and enterprize extending her work to com-

pass the utmost reach of improvement. The pursuits of business, and all the useful occupations and interests of society are prosecuted with unwonted benefit. Agriculture, cherished and honored; the Mechanic Arts elevated and rendered more effectual by the application of the aids of science; Commerce, spreading her sails to new seas and ports, and freighting the winds with the contributions of distant climates to these favored shores; Manufactures, struggling through experiment and discouragement to final success, furnishing to the people every necessary supply, and giving to the nation a true and permanent independence; Knowledge diffused, and Education exerting, far and wide, its salutary and preserving influence; these are the realities of our times; the blessings of republican government; the enjoyments of an enlightened and free people. Invoking the divine aid and direction, may we, by the faithful discharge of the duties which devolve upon our respective stations, do something to improve them, for the present age, and perpetuate them as an inheritance for a grateful posterity.

LEVI LINCOLN.

*State House, Boston,* }  
*May 30th, 1831.* }

## CHAP. I.

*To the Honorable Senate,  
and House of Representatives,*

The Secretary is charged to lay before you copies of the report of the agent for the prosecution of the Massachusetts Claim, and also a single copy, for the use of both branches of the legislature, of the documents in relation to the north eastern boundary. These latter are so voluminous as to render it impracticable to prepare a duplicate in season for the present session. It may be of importance that the documents should hereafter be within the control of the executive department; and I respectfully request, that the copy may be returned to the secretary's office, when the subject shall be disposed of by the legislature.

LEVI LINCOLN.

*Council Chamber, May 30, 1831.*

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## CHAP. II.

*To the Honorable Senate and  
House of Representatives.*

Since the preparation of the Address, which I had the honor personally to offer to your attention this morning, I have received, from His Excellency the Governor of Maine, several communications under date of the 26th inst. with accompanying copies of certain resolutions, adopted by the legislature of that State, and approved by him on the 1st of April last, in relation to the north eastern boundary of the United States:— and also of certain other resolutions of the legislature, approved by him on the 28th of March last, proposing a negotiation with Massachusetts for the purchase of the lands of this Commonwealth within the limits of

Maine, or otherwise to agree upon "a system for the sale, disposition and management of the lands" owned by both States.

These documents cannot fail to give additional interest and importance to the views which have already been presented of the principal subject to which they refer, and in transmitting them, in compliance with the request of our sister government, I beg leave to recommend them as entitled to the most deliberate and thorough consideration.

LEVI LINCOLN.

*Council Chamber, May 30, 1831.*

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### CHAP. III.

*To the Honorable Senate and  
House of Representatives.*

I hasten to lay before the Legislature the report of the commissioners appointed, pursuant to a resolve of the last Legislature, to revise the laws in relation to debtor and creditor, and to imprisonment for debt, with an accompanying bill, proposed by the commissioners, "for the relief of insolvent debtors and the more equal distribution of their effects."

The bill presents, in twenty three sections, an entire system of proceedings, for the assignment of the property of the insolvent, the ascertainment of the claims of the creditors, and their subsequent payment and satisfaction in equal proportions, and for the exemption of the person of the debtor from imprisonment in all cases, to which it is intended the law shall apply; and the report presents a clear and precise analysis of the bill, with an explanation of the practical operation of it, in its various provisions, and a perspicuous and forcible exposition "of the motives and considerations by which the commissioners have been influenced in their deliberations on the subject," which will not fail to be receiv-

ed with the respect and deference due to their character, and to the laborious and thorough investigation bestowed by them upon the performance of the interesting and highly important service, to which they were assigned.

LEVI LINCOLN.

*Council Chamber, June 1, 1831.*

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#### CHAP. IV.

*To the Honorable Senate. and  
House of Representatives.*

The Chief Magistrate of the State of Delaware has recently transmitted to me copies of sundry resolutions passed by the General Assembly of that State, at their late session. They have relation to the distribution of the public lands of the United States, disapproving thereof, either by direct grants to the several states, or by nominal sales at reduced prices to the citizens thereof, and recommending the appropriation of the revenue arising from the sales of the lands of the Union, to the purpose of extending the means of education throughout the republic, as soon as the liquidation of the national debt shall warrant the same;—they declare a concurrence in the resolutions of the General Assembly of Pennsylvania, “that the Tariff of 1828 accords with the spirit of the Constitution of the United States, and that it maintains the true principles of protection to the industry of the country against foreign policy and legislation;” and in the resolutions of the Legislatures of Louisiana and Vermont, “that the law of 1828, on the Tariff, is expedient and harmless to the Southern States;”—they affirm the constitutional powers of Congress, and the expediency of their exercise, in the construction of works of internal improvement;—they recommend further relief and provision by Congress for the surviving officers and soldiers of the revolution;—they express a dissent

to the amendments of the Constitution of the United States, proposed by the Legislature of Louisiana, "so as to extend the term of office of President and Vice President to six years, and to render the President ineligible to re-election"—and to the amendment proposed by the General Assembly of Missouri, to provide a uniform mode of electing the President and Vice President, without the intervention of electors, and that the election shall in no case whatever be submitted to the House of Representatives ;—and also a disapprobation of, and disagreement to, the resolutions of the Legislature of the state of Alabama, approving of the administration of the present Chief Magistrate of the United States, and nominating him for re-election.

These resolutions and proceedings of the Legislative and Executive Authorities of Delaware are now offered to your observation, in compliance with the requests which severally accompany them, in their transmission to me.

LEVI LINCOLN,

*Council Chamber, June 1, 1831.*

## CHAP. V.

*Resolve in favor of John G. Deane.*

June 6, 1831.

On the petition of John G. Deane, setting forth a resolve of the State of Maine, passed on the fourth day of April last, in the words following, viz.

"*Resolved*, that there be granted to John G. Deane one half of a township of land of six miles square, subject to the reservation for public uses required by law, to be by him selected, within one year, from any lands belonging to the State of Maine, north of the waters emptying into the Penobscot river, or from any lands belonging to the Commonwealth of Massachusetts, and

this State, being in common and undivided, north of said waters; *Provided*, that said Commonwealth shall, at any time within one year, give her assent thereto, provided the said Deane shall settle on the half township, to be by him selected, within three years from the time said land is located, and provided, that the same half township granted as aforesaid be not a timber township."

*Resolved*, that this Commonwealth hereby assents to the said John G. Deane selecting one half of a township of land, six miles square, from any lands belonging to this Commonwealth and the State of Maine, being in common and undivided, north of the waters emptying into the Penobscot river, pursuant to the terms and conditions set forth in the foregoing resolve of the State of Maine. *Provided*, that said half township of land, when selected and settled by the said Deane, shall be considered as taken by the State of Maine in any future division of said undivided lands. *Provided*, also, that the said Deane shall make a return of all his proceedings, in relation to the selection and settlement of the said half township of land, to the land agent of this Commonwealth.

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## CHAP. VI.

### *Resolve on the Petition of Reuben Gleason.*

June 10, 1831.

*Resolved*, That Reuben Gleason, Jr. the son of Reuben Gleason of Dorchester, in the County of Norfolk, be placed upon the list of pupils supported by this Commonwealth, at the American Asylum for the education of the Deaf and Dumb at Hartford, agreeably to the provisions of the resolves heretofore passed in relation to State beneficiaries.

## CHAP. VII.

*Resolve authorizing the Treasurer to borrow Money.*

June 10, 1831.

*Resolved*, That the Treasurer of this Commonwealth be, and he is hereby authorized and directed, to borrow, of any of the Banks in this Commonwealth; or any corporation therein, or of any individual or individuals, such sum or sums of money as may, from time to time, be necessary for the payment of the ordinary demands on the Treasury, at any time before the meeting of the next General Court; and that he pay any sum he may borrow, as soon as money sufficient for the purpose, and not otherwise appropriated, shall be received in the Treasury. *Provided, however*, That the whole amount borrowed by authority hereof, and remaining unpaid, shall not, at any time, exceed the sum of one hundred and seventy thousand dollars.

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## CHAP. VIII.

*Resolve providing for repairs on the Dome and Pediment Cornice of the State House.*

June 15, 1831.

*Resolved*, That His Excellency the Governor, with the advice of the Council, be, and he hereby is authorised and requested, to cause such repairs to be made on the dome and pediment cornice of the State House, as shall be found necessary, and, to ensure the faithful execution of said repairs, he is hereby authorized to appoint some suitable person to superintend and direct in the execution of the work, and to draw his warrant on



the Treasurer of the Commonwealth, for a sum not exceeding twenty-five hundred dollars, to defray the expenses thereof.

And, whereas, His Excellency the Governor was authorized by a resolve, passed the 10th day of March last, "to cause a fire proof edifice to be erected on the northern front of the State House." Therefore,

*Be it further Resolved*, That His Excellency the Governor, by and with the advice of the Council, be authorized to appoint some suitable person to superintend and direct the execution of the work as is provided in said Resolve.

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#### CHAP. IX.

*Resolve in relation to the divisional line fence, between the Patentees and Purchasers and the Indians, on the Island of Chappequiddic.*

June 15, 1831.

*Resolved*, That His Excellency the Governor, and the Honorable Council, be and they hereby are authorized to appoint commissioners, whose duty it shall be to make a division of the divisional line between the Patentees, and Purchasers, and the Indians on the Island of Chappequiddic, assigning to each patentee and purchaser their proportion of said divisional line, on which they are respectively to make and maintain a divisional fence, agreeably to an act of this Commonwealth, passed June the sixteenth, in the year of our Lord one thousand seven hundred and ninety six; and that such division, so made, be recorded in the office of the register of deeds for the county of Dukes' County, and that such record forever hereafter be legal evidence of such division, and that all suits now pending in any court of this Commonwealth, in relation to such divisional line fence,

be dismissed, and the Justices of said court are hereby authorized and directed to dismiss the same accordingly.

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## CHAP. X.

*Resolve on the petition of Joseph Prentiss.*

June 15, 1831.

*Resolved*, for reasons set forth in said petition, that Cyrus Leland, trustee of the Hassanamisco, or Grafton Indians, be, and he hereby is authorized and empowered, to receive a note given to the said Prentiss, by Sarah Phillips, deceased, one of said tribe, for the sum of twenty four dollars and thirty cents, in part satisfaction of a note which the said Leland, in his said capacity, holds against the said Prentiss.

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## CHAP. XI.

*Resolve for the due enrolment and promulgation of the Tenth Article of Amendment to the Constitution of this Commonwealth.*

June 15, 1831.

“Whereas the Specific Article of Amendment hereafter recited, was proposed in the General Court of this Commonwealth; elected and returned in the year of our Lord eighteen hundred and twenty nine, as an amendment to the Constitution of the said Commonwealth, and was agreed to by a majority of the Senators, and two thirds of the House of Representatives, present and voting thereon, and was thereupon entered upon the

journals of the two houses with the yeas and nays taken thereon ; and was afterwards referred to the General Court elected and returned for the year eighteen hundred and thirty, and published, as by the Constitution is required ;—and whereas the said Specific Article of Amendment was also agreed to by a majority of the Senators, and two thirds of the House of Representatives, of the last mentioned General Court, present and voting thereon ; and the said Article of Amendment was afterwards duly submitted to the people of the Commonwealth in order that, if the same should be approved and ratified by a majority of the qualified voters, at meetings legally warned and held for that purpose, the same might become a part of the Constitution of this Commonwealth ; and whereas it appears, by the returns of the votes duly made and transmitted to the Secretary's office, from the city of Boston, and the several towns and districts of this Commonwealth, that, at meetings legally warned and held for that purpose, in the said city, towns and districts, on the eleventh day of May last, the said Specific Article of Amendment has been duly approved and ratified by a majority of the qualified voters of the said Commonwealth voting thereon, as required by the Constitution, and the said article of amendment has accordingly become a part of the Constitution of this Commonwealth, to go into operation on the first day of October next, to wit :

#### “ARTICLE OF AMENDMENT.

“The political year shall begin on the first Wednesday of January instead of the last Wednesday of May, and the General Court shall assemble every year on the said first Wednesday of January, and shall proceed, at that session, to make all the elections, and do all the other acts, which are by the Constitution required to be made and done at the session which has heretofore commenced on the last Wednesday of May. And the General Court shall be dissolved on the day next preceding the first Wednesday of January, without any proclamation or other act of the Governor. But nothing

herein contained shall prevent the General Court from assembling at such other times, as they shall judge necessary, or when called together by the Governor. The Governor, Lieutenant Governor, and Councillors, shall also hold their respective offices for one year next following the first Wednesday of January, and until others are chosen and qualified in their stead.

The meeting for the choice of Governor, Lieutenant Governor, Senators and Representatives, shall be held on the second Monday of November in every year, but meetings may be adjourned, if necessary, for the choice of Representatives, to the next day, and again to the next succeeding day, but no further. But in case a second meeting shall be necessary for the choice of Representatives, such meetings shall be held on the fourth Monday of the same month of November.

"All the other provisions of the Constitution, respecting the elections and proceedings of the members of the General Court, or of any other officers or persons whatever, that have reference to the last Wednesday of May as the commencement of the political year, shall be so far altered, as to have like reference to the first Wednesday of January.

"This article shall go into operation on the first day of October, next following the day when the same shall be duly ratified and adopted as an amendment of the Constitution, and the Governor, Lieutenant Governor, Councillors, Senators, Representatives, and all other state officers, who are annually chosen, and who shall be chosen for the current year, when the same shall go into operation, shall hold their respective offices until the first Wednesday of January then next following, and until others are chosen and qualified in their stead, and no longer; and the first election of the Governor, Lieutenant Governor, Senators and Representatives, to be had in virtue of this article, shall be had conformably thereunto, in the month of November following the day on which the same shall be in force and go into operation, pursuant to the foregoing provision.

"All the provisions of the existing Constitution, inconsistent with the provisions herein contained, are hereby wholly annulled."

*“Resolved,* That the above recited Article of Amendment shall be enrolled on parchment, and deposited in the Secretary’s office, as a part of the Constitution and fundamental law of this Commonwealth; and shall be published, in immediate connection therewith, as the tenth article of Amendment thereto, in all future editions of the laws of this Commonwealth, printed by public authority. And, in order that the said article of Amendment may be duly promulgated, without delay, to the people of this Commonwealth—Be it further

*“Resolved,* That His Excellency the Governor be, and he hereby is authorized and requested, to issue his proclamation, reciting the said article of Amendment, and announcing that the same has been duly adopted, and ratified by the people of this Commonwealth, and has become a part of the Constitution thereof, to go into operation on the first day of October next; and requiring all magistrates and officers, and all the citizens of the said Commonwealth, to take notice thereof, and govern themselves accordingly.”

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## CHAP. XII.

*Resolve on the petition of the Overseers of the Sandwich Monthly Meeting of Quakers.*

June 16, 1831.

*Resolved,* That the overseers of the Sandwich Monthly Meeting of the denomination of people called Quakers, and their successors in office, be, and they hereby are authorized and empowered, to invest, in such manner as they may think best, or put out at interest on such security as they may think proper, from time to time, all the money which has arisen, or may arise from the sale of the estate devised to them in trust, in and by the last will of Joseph Wing, deceased, without being obliged to require security by mortgage of real estate, unless they see fit, any thing in a former resolve, passed February 16, A. D. 1831, to the contrary notwithstanding.

CHAP. XIII.

*Resolve for appointing commissioners to revise the laws respecting the form of Bank Bills, and Stereotype Plates.*

June 16, 1831.

*Resolved*, That His Excellency the Governor, with advice of the Council, appoint three suitable persons as commissioners to prepare and report to the next legislature, during the first week of its session, a revision of the laws concerning the form of bank bills, and the plates from which they shall hereafter be impressed, and also to report such other measures as may more effectually protect the citizens of this Commonwealth against the forging and counterfeiting of bank bills.

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CHAP. XIV.

*Resolve on the petition of Seth Gay.*

June 17, 1831.

On the petition of Seth Gay, praying that certain costs paid by him, in pursuance of a sentence of the Municipal Court in the City of Boston, in the year 1825, may be refunded, the judgment of said Court having been subsequently reversed, and the action quashed, by the Supreme Judicial Court.

*Resolved*, That there be allowed and paid, out of the Treasury of this Commonwealth, to Seth Gay, the sum of nineteen dollars and ninety-nine cents, for the reasons above set forth, and His Excellency the Governor, with the advice of the Council, is hereby authorized and requested to draw his warrant accordingly.

## CHAP. XV.

*A Resolve releasing certain escheated lands to the town of Needham.*

June 20, 1831.

On the petition of the Inhabitants of Needham in the County of Norfolk; *Resolved*, for the reason set forth in said petition, that this Commonwealth do hereby transfer, release and quitclaim, unto the Inhabitants of Needham, or their successors and assigns, all the right, title and interest which have accrued to the Commonwealth, by way of escheat, in and to certain tracts of land, containing about sixteen acres, together with a small dwelling house thereon, lying in said Needham, of which one Jethro Cato, late of said Needham, died seized, as is described in said petition. *Provided*, that this Resolve shall in no wise affect the right or title of the purchaser of that part of the estate of said deceased, which has been sold by the administrator of his estate.

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## CHAP. XVI.

*Resolve requesting the Governor to transmit to the Governor of Maine an Act of this State.*

June 20, 1831.

*Resolved*, That His Excellency the Governor be, and he hereby is requested to transmit, to the Governor of the State of Maine, an Act of this Commonwealth, entitled "An Act to modify an Act entitled An Act relating to the separation of the District of Maine from Massachusetts proper, and forming the same into a separate and independent State," and to request him to lay the same before the Legislature of Maine.

## CHAP. XVII.

*Resolve on the petition of Charles Forster.*

June 21, 1831.

*Resolved*, That, for reasons set forth in said petition, the judgment recovered by the Warden of the State Prison against Charles Forster, at a term of the Supreme Judicial Court, holden at Boston, within and for the County of Suffolk, in March, 1830—for the sum of four hundred and fifty-five dollars and ninety-one cents damages, and seventy-seven dollars and forty-nine cents costs of suit, be released and remitted; and the Warden of the State Prison be authorized to release and remit the same to the said Charles Forster.

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## CHAP. XVIII.

*Resolve for the pay of the Council, Senate, and House of Representatives.*

June 21, 1831.

*Resolved*, That there be paid, out of the Treasury of this Commonwealth, to each member of the Senate and House of Representatives, two dollars, for each and every day's attendance as such, the present political year, and the like sum of two dollars, for every ten miles travel from their respective places of abode, once in each session, to the place of the sitting of the General Court; and also to each member of the Council two dollars for each day's attendance at that Board, at every session thereof during the present political year, and the like sum of two dollars for every ten miles travel from their respective places of abode, once in each session thereof; and to the President of the Senate and



Speaker of the House of Representatives, each, two dollars for each and every day's attendance, in addition to their pay as members.

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## CHAP. XIX.

*To the Honorable the Senate,  
and House of Representatives.*

By a Report, made by a Committee of the Executive Council, which is herewith transmitted, it appears that a further appropriation will be required to enable the Surveyor to prosecute the surveys, in which he is now faithfully and successfully engaged, for the purpose of forming a Map of the Commonwealth. Much expense has necessarily been incurred in the procurement of instruments, which are indispensable to the work ; and it is believed, that a strict economy has been observed in the expenditures. An additional sum of three thousand dollars is estimated as necessary to meet the requirements of the service, the present year.

LEVI LINCOLN.

*Council Chamber, June 21, 1831.*

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## CHAP. XX.

*Resolve providing for the erection of a small pox Hospital  
on Rainsford Island.*

June 22, 1831.

*Resolved, That the Mayor and Aldermen of the City of Boston, as overseers of the Commonwealth's Hospitals on Rainsford Island, be and they hereby are authorized and directed, to cause a suitable and durable rough stone*

building, two stories in height, with brick partition walls, to be erected on Rainsford Island, for a small pox hospital, provided the same can be completely finished, including every expense, for a sum not exceeding seven thousand dollars; and said Mayor and Aldermen are hereby authorized to adopt such a plan, as in their judgment will best suit the convenience of the public and promote the interest of this Commonwealth, and they are hereby requested to commence said work as soon as is practicable, and cause it to be completed without delay, and when said building shall have been completely finished, to render an account of their doings, with the amount of money expended by them in its erection, to the treasurer of this Commonwealth, who is hereby authorized and directed to audit the same; and His Excellency the Governor, with the advice of the Council is hereby authorized and requested to draw his warrant on the treasury of this Commonwealth, for a sum not exceeding seven thousand dollars, to defray the expenses thereof.

## CHAP. XXI.

*Resolve making further appropriations for a survey and geological examination of the Commonwealth.*

June 22, 1831.

*Resolved,* That His Excellency the Governor, with the advice of the Council, be, and he is hereby authorized to draw his warrant, from time to time, upon the Treasurer of the Commonwealth, for any sum or sums, not exceeding three thousand dollars, in addition to the sums heretofore appropriated, which may be necessary to carry more fully into effect the Resolves authorizing the appointment of a Surveyor to make a general survey of the Commonwealth, passed on the third day of March, A. D. 1830, and the Resolves in addition thereto, and further authorizing the appointment of a suita-

ble person to make a geological examination of the Commonwealth, passed on the fifth day of June, A. D. 1830.

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## CHAP. XXII.

*Resolve providing for the pay of the Clerks.*

June 22, 1831.

*Resolved*, That there be paid out of the Treasury of this Commonwealth, to the Clerk of the Senate, eight dollars per day ; to the Clerk of the House of Representatives, ten dollars per day ; and to the Assistant Clerk of the Senate, six dollars per day, for each and every day's attendance, they have been, or may be employed, in that capacity, during the present session of the Legislature : and that there be further paid to the Clerk of the Senate, and the Clerk of the House of Representatives, fifty dollars each, for copying the Journals for the Library, as required by the orders of the two Branches of the Legislature. And His Excellency the Governor, with the advice of Council, is requested to draw his warrant accordingly.

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## CHAP. XXIII.

*Resolve in favor of Elias Ware.*

June 22, 1831.

*Resolved*, That there be allowed and paid, out of the Treasury of this Commonwealth, to Elias Ware, the sum of twenty dollars, for loss of property sustained by him

in the revolutionary war, and his Excellency the Governor, with the advice of Council, is hereby authorized and requested to draw his warrant accordingly.

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## CHAP. XXIV.

*Resolutions in relation to the Public Lands.*

June 22, 1831.

The Committee on Public Lands, to whom was referred so much of the Governor's Speech as relates to the lands belonging to this Commonwealth, and lying in the State of Maine, have had the several subjects under consideration, and respectfully submit the following.

## REPORT :

That upon inquiry at the Land Office, and from examination of documents on the files of said office, they find that this Commonwealth owns in severalty a number of townships, situate on and near the rivers and streams tributary to St. John's river, on which there is a considerable growth of valuable pine timber. It further appears, that the people who reside in that section of country are now openly and actively engaged, without any licence or pretence of right, in cutting down the timber, and removing it into the Province of New Brunswick, where, in consequence of a recent Act of the Province, it is entered free of duty. Nothing can be more certain, than that these depredations, already committed to a great extent, will be continued with increased vigor, unless measures are promptly taken for the purpose of discouraging and preventing, directly or indirectly, such illegal proceedings. The Committee, after consultation with the Land Agent, are of opinion that the least expensive, and upon the whole, the most effectual mode of guarding this valuable property, and, at the same time, of disposing of it gradually in an advantageous manner, will be to grant permits to cut the timber to such persons as may apply for them. For

this purpose it will be necessary for the Land Agent to appoint some trusty person to measure the logs as fast as they are cut, and to see generally that all terms and conditions which the Land Agent may find it expedient to include in the contracts, are strictly complied with. Many are now desirous to obtain permits for this purpose ; and if they are permitted to become purchasers, it will of course be for their interest to give information against all depredators. For the accomplishment of this object, recommended by the Governor and approved by the Committee, it will be necessary to invest the Land Agent with a discretionary authority as is provided for in the first Resolution accompanying this Report.

The attention of the Committee has been called to a recent law of the State of Maine, which provides for the sale of land *in lots*, to *actual settlers*, at a minimum price of fifty cents per acre. This is the commencement of a new, liberal and provident policy on the part of that State, which, in the opinion of the Committee, deserves to be immediately recognized and adopted by this Commonwealth. An equitable standard of value will be thus established, the resources of the country will be developed, and an inducement will be afforded to every settler to become the proprietor of the soil which he occupies.

It has been well ascertained that the lands lying North of the "Monument line," so called, viz : the line that runs due West from the Monument, at the source of St. Croix River, are of an excellent quality, and that they have already attracted the attention of cultivators. Many hardy, enterprising, and industrious young men, from the populous parts of Maine, and from New Hampshire and Vermont, are desirous of purchasing lots in this territory, for the purpose of immediate settlement, and they will much prefer a direct conveyance from the Commonwealth to a second hand title from speculators. The Committee, therefore, deem it a favorable opportunity to present for consideration the second and third Resolutions herewith submitted. The third Resolution also provides for the sale of six townships in the same quarter, a part of which can undoubtedly be disposed of during the present season.

There is another subject upon which the Committee have been called to bestow their attention. Among the documents transmitted by the Governor, and referred to the Committee, is an attested copy of a Resolve of the Legislature of the State of Maine, passed on the 26th day of May last, and officially communicated in compliance with its terms, by the Governor of that State to the Governor of this Commonwealth. The Resolve provides for the appointment, on the part of Maine, of "a person or persons to negotiate with the Government of Massachusetts, or such person or persons as they may appoint, for the purchase of all the lands of Massachusetts within the limits of Maine, so far as to ascertain the terms and conditions on which they can be purchased;"—also, "in case the Commonwealth of Massachusetts shall refuse to negotiate for the sale of said lands, to agree upon a system for the sale, disposition and management of the public lands of said Commonwealth and State, and report the system agreed upon by them to the next Legislature; no agreement or contract as aforesaid to have any force or effect until the same has been approved by the Legislature of the State."

From a distinguished member of the House of Representatives of Maine, who is familiarly conversant with the policy of that State in respect to her public lands, and who personally appeared before the Committee to explain the views and wishes of her Legislature, in proposing a joint Commission for the purposes set forth in the Resolve, the Committee learn that although, on some accounts, and particularly in reference to the present attitude of the Boundary Question, the State of Maine is desirous to become the exclusive proprietor of the public lands within her limits, that still she is not prepared to purchase the lands of Massachusetts upon any terms, which would secure to the Commonwealth a suitable equivalent for their present value. The Committee believe that any negotiation for this object, is, and must probably continue to be inexpedient; but they are further of opinion that the present moment affords to the Legislatures of the two States a favorable opportunity to make an arrangement for the future disposition

and management of the lands, which they now hold jointly or in severalty, in such manner that the interests of both States may be mutually promoted. They therefore propose the appointment of a Commissioner or Commissioners, on the part of this Commonwealth, to meet such as may be appointed by Maine, who shall act under such instructions as may be furnished by the Governor, and shall report to the next Legislature the result of their proceedings. The Legislatures of the two States will thus have it in their power, by a joint act for the purpose, to mature, conclude and ratify, such a system, as under all circumstances, shall seem to both to be advisable. But if the efforts of the Commissioners should be fruitless, in reference to the primary object, their intercourse may not be wholly unproductive of benefit, and in any event, will occasion but little expense. The measure, from its having been proposed by the Legislature of Maine, is entitled to respectful consideration. The Committee accordingly recommend the adoption of the fourth and last Resolution herewith submitted.

By order of the Committee,  
S. C. PHILLIPS, *Chairman.*

1. *Resolved*, That the Land Agent of this Commonwealth be, and he is hereby authorized, to sell such portion of the pine timber now standing upon the Public Lands, situate on and near the rivers and streams tributary to St. John's River, as is particularly exposed to depredation, upon such terms and conditions, as in his opinion will best promote the interest of the Commonwealth.

2. *Resolved*, That the Land Agent be, and he is hereby authorized to survey, or cause to be surveyed into lots, one or two townships of land, most suitable for settlement, lying North of the "Monument line," so called, said lots to be surveyed in such size and form as the Land Agent may direct, having regard, as heretofore, to roads, streams, ponds, mountains and waste lands. And the surveyor shall be required to give a particular account and description of the pine, and other valuable timber,

standing and growing thereon, of the surface of the land, of the quality of the soil, and of the water courses.

3. *Resolved*, That the Land Agent be, and he is hereby authorized, to sell and convey, by good and sufficient deeds, the lots thus surveyed, to actual settlers; and he is also further authorized to sell and convey, by good and sufficient deeds, six of the townships situate and lying North of the Monument Line—*Provided*, that said lots shall not be sold for less than fifty cents per acre, nor any of said townships, however poor the quality of soil, for less than twenty cents per acre.

4. *Resolved*, That His Excellency the Governor, with the advice of the Council be, and he is hereby authorized, to appoint one or more Commissioners, on the part of this Commonwealth, to meet the Commissioner or Commissioners appointed by the State of Maine, for the purpose of agreeing upon a system for the sale, disposition, and management of the public lands belonging to this Commonwealth, and the said State. And His Excellency the Governor is requested to furnish such instructions to the Commissioner or Commissioners so appointed, as he may deem expedient; *Provided*, that the said Commissioner or Commissioners shall not be authorized to enter into any agreement which shall have any force or effect, until the same has been approved by the Legislature of this Commonwealth; and they shall be instructed to lay before the Legislature, as soon as may be, a report of their proceedings.

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#### CHAP. XXV.

*Resolve providing for the pay of the Chaplains of both Houses.*

June 22, 1831.

*Resolved*, That there be allowed and paid, out of the treasury of this Commonwealth, to the Rev. Alonzo Potter, Chaplain of the Senate, the sum of thirty dol-



lars, and to the Rev. Lyman Beecher, the Rev. Sebastian Streeter, and the Rev. Ezra S. Gannett, Chaplains of the House, the sum of ten dollars each, in consideration of their services in that capacity, and His Excellency the Governor is hereby authorized and requested to draw his warrant accordingly.

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## CHAP. XXVI.

*Resolve on the Memorial of the Acting Quarter Master General.*

June 22, 1831.

*Resolved*, that the sum of three thousand dollars be, and the same hereby is appropriated to defray the expenses of the Quarter Master General's Department; and His Excellency the Governor, with the advice of council, is hereby authorized to draw his warrant on the treasurer for the same, in such sums and at such times as the public service may require, in favor of the acting Quarter Master General, for the faithful appropriation of which he is to be accountable.

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## CHAP. XXVII.

*Resolve on petition of Joseph Durfee, a Soldier of the Revolutionary War.*

June 22, 1831.

*Resolved*, That there be allowed and paid, out of the treasury of this Commonwealth, to Joseph Durfee, the sum of one hundred dollars, in full for services rendered

by him in the Revolutionary War. And His Excellency the Governor, with the advice and consent of the council, is hereby authorized and requested to draw his warrant accordingly.

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CHAP. XXVIII.

*On the petition of Samuel Hubbard, John Pickering, John Borland, and William P. Green, Executors of the last Will and Testament of James Lloyd, late of Boston, in the county of Suffolk, Esq. deceased.*

June 23, 1831.

*Resolved*, for the reasons set forth in said petition, that the Judge of Probate of said county of Suffolk, be, and he hereby is authorized and directed to permit the said executors to take, from the files of the probate office of said county of Suffolk, the original will and codicil of said deceased, for the purpose of having probate thereof in the state of New York; the said executors leaving in said probate office an attested copy of said will and codicil; and in case of the said executors being prevented by unavoidable accident, or other reasonable cause, from returning the said originals to the said probate office, that the said attested copy may be used, and avail to the like purposes as the said originals.

## CHAP. XXIX.

*Resolve for pay of Commissioners on Treasurer's accounts.*

June 23, 1831.

*Resolved*, That there be paid, out of the Treasury of this Commonwealth, to each of the Commissioners appointed to examine, liquidate and settle the Treasurers' accounts, the sum of three dollars per day, for each and every day they may be employed in that capacity, and the sum of two dollars for every ten miles travel from their respective places of abode, and the Governor is requested to draw his warrant on the treasury accordingly.

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## CHAP. XXX.

*Resolve in favor of Sheffel Weaver, Guardian to the Troy Indians.*

June 23, 1831.

*Resolved*, That there be allowed and paid, out of the public Treasury, to Sheffel Weaver, guardian to the Troy Indians, the sum of one hundred and twelve dollars and sixty eight cents, it being in full for the amount due him for the support and maintenance of Thankful Simon, Thankful Chase, belonging to said tribe of Indians, and Hope Page and son, to the thirtieth day of April last past, and his Excellency the Governor is requested to draw his warrant accordingly.

## CHAP. XXXI.

*Resolve in favor of James Conant, a Soldier of the Revolutionary War.*

June 23, 1831.

*Resolved,* That there be allowed and paid, out of the treasury of this Commonwealth, to James Conant, the sum of sixty dollars, in full for services rendered by him in the war of the revolution. And His Excellency the Governor, with the advice of council, is hereby authorized and requested to draw his warrant accordingly,

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## CHAP. XXXII.

*Resolve to provide for fuel.*

June 23, 1831.

*Resolved,* That there be paid, out of the treasury of the Commonwealth, to Jacob Kuhn, messenger of the General Court, the sum of one thousand dollars, to enable him to purchase fuel and such other articles as may be necessary for the use of the General Court, Council Chamber, the Secretary's, Treasurer's, Adjutant General's and Quarter Master General's Offices ; and also for the Land Office ; he to be accountable for the expenditure of the same ; and the Governor is requested to draw his warrant accordingly.

## CHAP. XXXIII.

*Resolve to pay Jacob Kuhn.*

June 23, 1831.

*Resolved,* That there be allowed and paid, out of the public treasury, to Jacob Kuhn, in full for his services as messenger to the General Court, and for his care of the State House, and all other services rendered by him, including those mentioned in a resolve passed on the nineteenth day of October, in the year of our Lord, one thousand eight hundred and fourteen, from the thirtieth day of May last, to the thirtieth day of January next, the sum of six hundred and sixty six dollars, and sixty-six cents, payable quarterly yearly; and His Excellency the Governor, with the advice of council, is requested to draw his warrant accordingly.

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## CHAP. XXXIV.

*Resolve in favor of John V. Low.*

June 23, 1831.

*Resolved,* That there be allowed and paid, from the treasury of this Commonwealth, to John V. Low, assistant messenger to the Governor and Council, two dollars per day, for each and every day he has been or may be employed in that capacity, during the present session of the council, and the Governor, with the advice of council, is authorized and requested to draw his warrant on the treasurer accordingly.

## ROLL, No. 105.....JUNE, 1831. ]

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The COMMITTEE ON ACCOUNTS, having examined the several accounts presented to them, Report,

That there are due to the several corporations and persons hereinafter mentioned, the sums set against their names respectively, which, when allowed and paid, will be in full discharge of the said accounts, to the dates therein mentioned, which is respectfully submitted.

By order of Committee on Accounts,  
ELIHU HOYT, *Chairman.*

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### PAUPER ACCOUNTS.

Adams, for support of Phila Hill, Robert Harris, Sarah Goodrich, Sarah Dodge, Agnes Mores, and Chester Dean, to June 1, 1831,	95 40
Andover, for support of Sukey Hornsby, Hannah Highland, Peter Sigourney, Mary Maloney, and her child, William Esther Benson, James Graham and wife, to June 1, 1831,	70 78
Amesbury, for support of the family of Joshua Halley, viz. Mary his widow, Joseph Ly-	

man, George and Joshua, children, Robert Baker, James Richards, James Standerling, Mary Nugeon, John Harkley's family, viz. Nancy his wife, John, James, Mary Ann, and Susan, children, to June 1, 1831,	130 60
Abington, for support of Margaret Jack, Antonio Julio, David Gurney, and Mary McIntire, to June 1, 1831,	47 06
Barnstable, for support of John Robinson, to June 1, 1831,	18 64
Becket, for support of Elizabeth Hamblin, and Maria Parker's child, to June 1, 1831,	48 63
Beverly, for support of Dolly Claxton, Catharine Cameron, Richard Dorain, Catharine Dorain, Harriet Cameron, Joseph and Benjamin Cameron, (children) supplies to John Kelly, to June 1, 1831,	52 52
Brookline, for support of Ann Potter, a child, to June 1, 1831,	26 00
Blanford, for support of Susan Burdick, John H. Durlam, and Polly Burdick, to May 26, 1831,	140 40
Belchertown, for support of Hannah Levens, Susan McIntire, James McDonough, Charlotte McDonough, Barnard McCarney, Mary McCarney, John, James, and Peter McCarney, children, William Dailey, Samuel Woodward, Alexander Moor, Betsey Moor, Lucinda Moor, till her death, Levi, Harriet, Henry and Benjamin, children of said Moor, (funeral expense of Benjamin,) Joel Hazard, Polly Hazard, till her death, Stephen Smith, child, William Jenkins, Edwin Hazard, child, Nancy Hazard, do. to June 1, 1831,	146 53
Boston, for support of sundry Paupers in the House of Industry, to June 1, 1831,	5,601 97
Boston, for support of sundry Paupers in and from the Alms House, to June 1, 1831,	2,115 35
Boston, for support of sundry Paupers in the House of Reformation, to June 1, 1831,	220 00

# PAUPER ACCOUNTS.

639

County of Suffolk, for support of sundry Paupers in the House of Correction, to June 1, 1831,	214 62
Chester, for support of Ann Butolph, Jerry Hardy, and Benjamin Powers, to June 1, 1831.	60 27
Cheshire, for support of Ephraim Richardson, Noel Randal, Polly Cooper, Molly Dimon, Levi Peirce, and Ebenezer Lilly, to June 1, 1831,	109 56
Clarksburg, for support of Lovell Hill, and Naomi, Malvina, William and Caroline Hill, (children) and James Cook, to June 1, 1831,	84 60
Charlton, for support of Robert Bennett and William Hampton, to May 28, 1831,	29 97
Conway, for support of Hannah Hall, Sally Mc Murphy, and Robert Burgess, to June 1, 1831,	44 22
Cummington, for support of Brister Peirce, to June 1, 1831,	48 44
Colrain, for support of Kate Van Voltenburg, Lucy Freeman, Harriet, John and Lucy Freeman, illegitimate children of said Lucy, Stephen, illegitimate child of Sally Hart, to June 1, 1831,	76 25
County of Essex, for support of sundry Paupers in the House of Correction, to April 12, 1831,	358 33
Cambridge, for support of sundry Paupers, to June 1, 1831,	1,861 37
County of Middlesex, for support of Naley Carey, William Bradbury, John Watson, Daniel Luke and Herman Davis, in the House of Correction, to May 10, 1831,	55 43
Charlestown, for support of sundry Paupers, to June 1, 1831,	2,235 10
Dartmouth, for support of James Jenkins, Eliza Springer, Polly Springer, child, George, Cornelius, Fanny, Lydia and John Springer, children of said Eliza Springer, Eliza, Sa-	



rah, Roby and James Sweet, (children, Caroline Sweet, do., Cuff Freeborn, and Samuel Blanding. Also for expense of re- moving the Springer family from the state, to June 1, 1831,	66 09
Dalton, for support of Philip and Mary Hoose, and Charles Mc Kee, a child, to June 1, 1831,	49 06
Deerfield, for support of Lovina Witherell, and Prince Emanuel, to June 1, 1831,	38 84
Dighton, for support of Molly Fish, to June 1, 1831,	15 30
Danvers, for support of John Fitzgerald, Ce- sar Wilcox, James Wallace, John Henley, Joel Wesson, Joseph Currier, Peter Cun- ningham, Morice Foley, Michael Griffin, David Welsh and wife, Margaret ——— Andrew Fuller, Eliza Mahon and her two children, John and Charlotte, to June 1, 1831,	178 00
East Bridgewater, for support of Lucinda Ne- ro, Betty Chase, Elihu Stevens, Robert Sea- ver, Asa Mingal, Samuel Wood, Meribah Williams, and her two children, Joseph S. Perry, wife and three children, Nathaniel Lawrence till his decease, to June 1, 1831,	204 70
East Sudbury, for support of David Curtis, to June 1, 1831,	60 95
Easthampton, for support of Submit Bailey, and her two children, Ozias and Charles, to June 1, 1831,	38 81
Franklin, for support of Susanna Parker, a child, to May 24, 1831,	35 00
Foxborough, for support of Caroline G. Howe and Susan Rider, to June 1, 1831,	33 81
Gloucester, for support of Elizabeth Dowsett, Anna Youling, Nancy Youling, Elizabeth Dade, Betsy Lang, Leah Francis, Jane Francis, Lydia Witham, John Shaftoe, Wil- liam Pressa, Samuel Youling, Mark Grimes, Benjamin Laroque, till his death, Nancy	

Morreen and her infant child, both till death, Charles Tolman, and funeral expenses of Jane Francis, to June 1, 1831,	259 60
Granville, for support of Sally Stewart, Mary Barden, Minerva Barker, and Clarissa Barker, a child, to June 1, 1831,	58 05
Great Barrington, for support of Joanna Porter, Lucy Porter, Peter Smith, Sarah Smith, Amarilla Wells, (a child) Mary Ann Hutchinson, Maria Rogers, (child) Henry Eaton, do. William Wells, do. John McGeorge, Joseph Bradley, Anthony Purdy, to June 1, 1831,	167 05
Hancock, for support of Michael Cushman, Sabrina Bingham, Darins Green, and Abigail, his wife, Barnet and Abigail, children of said Green, Silas Shipman and wife, John H. North, a child, to May '92, 1831,	128 51
Hadley, for support of Rebecca Allen, to June 1, 1831,	19 41
Hanover, for support of Hannah Long, to June 1, 1831,	18 90
Holliston, for support of Henry Burley and John B. Ford, to June 1, 1831,	36 26
Ipswich, for support of John O'Brien, Thomas Powers, Richard Powers, Francis Lord, Luke Whims, Ally Whims, Bridget Cook, and her child, and John Hill, to June 1, 1831,	61 11
Lenox, for support of Moses McGraw, Dayton Fuller, Samuel Bell, Catharine Hough, Edward Hurlburt, Lucinda and Aurilla, children of said Hurlburt, Samuel Jackson, child, Dayton Fuller, do. Lester and Erastus Fuller, do. Samuel Boid, till his death, Aurilla Maria Tenyke, Henry Tenyke, a child, Edward G. Hurlburt, do. to June 1, 1831,	197 31
Leyden, for support of Arnold Clark, Tacy Clark, Ruth Abel, Joseph Abel, Phillis Young, Catharine Booth, Sarah Staunton,	

and the following children, Sarah and Catharine Booth, Eliza Booth, and George White, to June 1, 1831,	186 29
Lanesborough, for support of Emma Foot, Lucy H. Goman, Mary Squires, Amos Dodge, Mary Dodge, Amelia Bennett, Mary Vansickle, Rufus Dodge, (child) Loring Dodge, do. John Dodge, do. Lucinda F. Dodge, do. Amanda Lane, do. John Stanborough, do. Harriet Stanborough, do. to June 1, 1831,	207 13
Lee, for support of Sarah Ross, John Marble, and wife, Jeffry Jurkin, Amos Moore, John Somers and wife, Dan Leander Quigley, child, William Quigley, do. Elisha Bates and wife, to June 1, 1831,	128 58
Lynn, for support of John Battic, John Christian till his death, Rebecca Ross, William Ross, child, Walter Ross, do. Rebecca Ross do. James Proctor, do. G. W. Cogswell, do. John Cauthron, John Lyons, Griffith Jones till his death, to June 1, 1831.	116 18
Milton, for support of James Bowman, Archibald Mc'Donald, John C. Drew, George Hamilton, a child, and Mary A. Wright a child, to June 1, 1831	61 40
Montgomery, for support of Willard Convers and Hannah Baham, to June 1, 1831	38 84
Manchester, for support of Mary Ann Wheaton and her two children, Edward and Joseph, to June 1, 1831,	39 90
Mendon, for support of John Ager, Levi Young, Martha Newell, Ezra Comstock, Mary Mercy, Amy Freeman, Thomas J. Freeman, child, to June 1, 1831,	208 08
Medford, for support of Dorothy Lyman, Henry Boon, William Stone, Micah M'Gary and wife, Hendrick Miller, Ellen Olany, Elizabeth and Arthur O'Lany children, Dennis Ryan, Patrick Berry, Lydia Brooks, Martha, Harriet and Eliza Brooks, children,	

# PAUPER ACCOUNTS.

643

Sarah Young, John Young a child, to June 1, 1831,	184 98
Monson, for support of Mary Allen, Hannah Brown, Flora Story, Roxana Wallis, Benj. Wallis, child, and Dickenson Wallis, do. to June 1, 1831,	78 85
Marshfield, for support of Bristol White, Jenny Prince, John Quackow, John Quackow, Jun, child, Peggy Quackow, do. Jane Quackow, do. Samuel Holmes and John Baker, to June 1, 1831,	428 83
New Ashford, for support of Mary Fuller to June 1, 1831,	62 10
Newburyport, for support of sundry paupers to June 1, 1831,	771 90
Norton, for support of Samuel Walker, to March 15, 1831,	7 14
Newbury, for support of sundry Paupers, to June 1, 1831,	628 28
North Bridgewater, for support of James Dorrain, Deborah Van Rensellaer, Charlotte Wood and William Lewis, to June 1, 1831.	77 40
Northampton, for support of John Delany, Almira Welsh, and her two children, Robert Miller, child, Polly Jones and child, Primus Johnson and wife, Cesar Tapparis two children, Lucius L. Gransey, Samuel Dunstan, Charles Andrews, Lydia Rock, John Dougherty and wife, and child, Charles Johnson, James Monroe, William Naureen, William Appleton, Garnett Stock, Thomas Pitts, wife and her three children, William Horton's wife, Patrick Farley, David Johnson, James Collins till his death, Thomas N. Ross, James Craven, John Marhar's wife and four children, Betsey Gregory and four children, Thomas Evans, Owen Martin, Peter O'Leary, Michael O'Neal, Mary Bishop, Sarah Ann Van Nevers, John Peters and wife, Edward Salisbury, child, Nancy Johnson, John Butterfield, Alexander M'Flam, Dennis Gilen, Martin Joy and wife, John	

Freeman, Henry Tuttle and wife and their two children, Philip Princely, Eliza Draper and child, John Hughes, wife and child, Thomas Sowerly and wife, Samuel Bake- man, to June 1, 1831,	784 25
Needham, for support of Margaret Riley, and her son John, Sarah Pastill, Lemuel Pratt, John Pitcher, (Lemuel Pratt not allowed,) to June 1, 1831,	209 49
Oakham, for support of Toby Barker, till his death,	41 25
Orange, for support of Mary Smith, James Emory, and Moses Smith, to June 1, 1831,	33 01
Pembroke, for support of Rhoda Prince, Mary Gifford, and Caroline Fuller, till her death, to June 1, 1831,	41 71
Pittsfield, for support of James Gordon, Theodore Brown, child, Cato Buckway, do., James Irwin, do. Edward Thompson, do. Charles Thompson, do. Henry Thompson, do. Caroline Stanboro', do. Frances Smith, John Smith, child, Frances and Wm. Smith, do. James and Levi Smith, do. Prudence Barry, Jane Austin, Edward and George Barker, children, Polly Little, do. Hannah Thompson, till her death—supplies to Roxa Richards and children, to June 1, 1831,	273 59
Pawtucket, for support of Jane Donaldson and child, Catharine Daley, and Alla Mackin- ella, to June 1, 1831,	47 31
Phillipston, for support of Abraham School, to May 21, 1831,	18 13
Princeton, for support of Wm. Gaul, to Nov. 30, 1830,	9 90
Russell, for support of Sally Harrington, Mary Newton, Mary and Nancy Hale, children, to June 1, 1831,	60 38
Roxbury, for support of Peter Chapman, Ed- ward Shebane, Emanuel Swasey, Jane Lan- ders, John Guyrn, Mary, Catharine, Mar- tha and Michael, children of said Guyrn,	

Edmund Maher Thomas Brinn, Patrick Cody, Susanna Cody, James, Michael and Susanna, children of said Codys, Ann Skelton, William Jones, Mary A. Smith, William Roberts, James Goff, James Tarry, Patrick Dowd Mary A. Dowd, Mary A. Williams, Sophia Williams, Mary A. Williams, a child, Hannah Purchase, John Casby, Thomas Powers, Samuel Abbot, Robert Clew, Eleanor O. Lang, Elizabeth and Arthur Lang, children, Andrew Never, Richard Whalen, Simon Lynch, wife and two children, supplies to Patrick Kinney, and family, Mrs Dowland and children, Mrs Kelly do. Mrs Sweeney do. Thomas Finneron, Samuel Brown Rich, to June 1, 1831,

387 18

Rowley for support of Wm. Davis, Orna Davis, Wm. O. Bennett, Louisa Price, Henry Mason, Abraham Perkins, Hannah Perkins, Hannah Perkins, jr. Richard Doren, Catharine Doren, Michael Delano, Sarah Boyle, Christopher Brown, Mary Brown, John O'Donnell, Eliza O'Donnell, Ira Hammond, Susan Hammond, John Stafford, Bridget Stafford, Reuben Underhill, William Friday, Paul Peterson, till his death, Jacob Wheeler, do, John Webber, Richard Powers, John Quirk, Dennis F. Jeryl, Job Phinney, Matthew Sullivan, Mary Burns, James M'Allen, Sarah M'Allen, David Welsh, and the following children viz. William Henry M'Allen, Jane Davis, Catharine Davis, Thomas O'Donnell and Lorenzo Hammond, to June 1, 1831,

447 76

Richmond, for support of Nancy Jessup, Susan Darling, Jacob Wicker, Sarah H. R. Crittenden, and the following children, viz : Amos, Aseneth, Ann, Mary Jane, Francis H. and Emmeline C. Darling, and Adeline M. Hagar, to June 1, 1831,

119 70

Shutesbury, for support of Peter Jackson and wife, John Vanauly and wife, and Sarah,

Zechariah and Charles Phinnemore, children of widow Sarah Phennimore, to June 1, 1831,	112 54
South Hadley, for support of Paupers, amount of short allowance by mistake in former account, June 1, 1831,	1 14
Sandisfield, for support of Catharine Deming, and four children, viz. : Henry, Eri Jerome, Ann Louisa, and Angeline Catharine, Phillis Dickinson, and Benj. Whitney, a child, to June 1, 1831,	50 64
Southampton, for support of John Cochran and Samuel Crisp, to June 1, 1831,	31 05
Sheffield, for support of Charlotte Turner, Dennis Kelly, a child, Caroline Kelly, do. Andrew Doyle, Nancy Ann Doyle, Sarah Turner, Frank and Harriett Freeman, children, to June 1, 1831,	87 37
Sutton, for support of James N. Clark, to Feb. 10, 1831,	9 26
Savoy, for funeral expenses of Welcome H. Oliver,	4 00
Salem, for support of sundry Paupers, to June 1, 1831,	1,241 40
Swansey, for support of Martha Dowsnips, Judith McCarter, Susanna an Indian, Betsy Lovejoy, Rosilla Freeman and Olive Freeman, to June 1, 1831,	110 31
Somerset for support of Polly Hill, Ann M'Giv- en, and her three children viz. Ann, Alice and Thomas, to June 1, 1831,	69 30
Scituate, for support of Susan London, Zilpha Whitcomb, Betsey Freeman and her infant child, Elizabeth G. Freeman, Thirza Free- man, Mary Brown, Maria Brown, and Zil- pha Scott, to June 1, 1831,	319 35
Stockbridge, for support of Abraham Parmalee, Martha Dowd, Margery Curtis, Dinah El- key, and Dorcas Webster, to June 1, 1831.	117 00
Topsfield, for support of Phillis Emerson, to June 1, 1831,	47 32

# PAUPER ACCOUNTS.

647

Tolland, for support of Desire Adgitat and Du- mel Swan, to June 1, 1831.	52 20
Tyringham, for support of Richard Gardner and wife, and funeral expenses of latter, Asa Thompson, Mary Diskill, Parmela Filley, Temperance Sears, Elvira Watkins, Polly Ayres, Joseph Ayres, Sarah Ayres, Mary- Ayres, and an infant, the four last children, Jacob Van Dowsen and wife, to June 1, 1831,	193 79
Taunton for support of Deborah Smith, Ro- bert Wilson, Joseph Lyon, Samuel Rose till his death, George Burkett, Mary W. Bur- kett, Nancy, Alice, and Robert Burkett, chil- dren, Eleanor Ball, Moses Shute, Polly Web- ster, Charlotte Martin, and funeral expen- ses of Edward Leach and Joseph Whiting, jun. to June 1, 1831,	207 89
Troy, for support of Sarah Carter and child, and Alice Devlin and child, to Feb. 28, 1831,	149 50
Tewksbury, for support of Peter Dane, a child to Feb. 15, 1831	32 00
Uxbridge, for support of Mary Pratt, Nicholas Stevens, his wife and three children, Char- lotte Salisbury and child, Zechariah M. Soule and wife, and funeral expenses of Nicholas Stevens, to June 1, 1831,	131 35
Whately, for support of Elizabeth M'Coy, Jesse Jewett, Mary Ann Jewett a child, William M. Jewett, do. two last not allowed, to June 1, 1831,	34 86
Warwich, for support of John C. Miller, Sam- uel and Molly Gunn, and Charles Gunn, their son, to June 1, 1831,	65 35
Williamsburg, for support of James Turner, Dotia Turner and Robert Burgess, to June 1, 1831,	44 35
West Springfield, for support of Louis Chevoy Hannah Chevoy, Louisa Chevoy, and Val- entine Worthy, to June 1, 1831,	99 24
Westfield, for support of John N. Berry and wife, Aseneth Gibson, Mary Parks, Mary	



Ann Baker, Hepsibah Brown, Betsey Rose, Sally Baker, Eunice French, child, George Dewey, do. Cynthia Baker, do. to June 1, 1831,	185 19
Washington, for support of John Thompson, Henry Panton, Jerusha King, and her three children, to June 1, 1831,	59 32
Westhampton, for support of Jane Gay, Silvia Miller, and Filia Sherman, a child, to June 1, 1831,	49 62
West Newbury, for support of wife and family of Richard Renton, viz. : Mrs. Renton, Susan Ann, aged 12, George Keely, 9, William Alfred, 7, Rebecca Duncan, 4, and Sarah Hopkinson, 2, to June 1, 1831,	73 33
Woburn, for support of John Sullivan, to June 1, 1831,	30 98
Westport, for support of Nathaniel Nottage, to May 20, 1831,	46 80
West Stockbridge, for support of Ebenezer Wood, Abigail Wood, James C. Briggs, Ransom H. Briggs, Lucy Lane, Sally Barton, Lucretia Bellamy, Mary M. Stoddard, Lucretia C. Stoddard, a child, Frederick H. and Elsey A. Stoddard, children, and Henry W. Rogers, to June 1, 1831,	205 09
Williamstown, for support of Asahel Foot, Rachel Galusha, John G. Henderson, Sebory Lamphere, Betsy Jackson, and Peggy, her child, to June 1, 1831,	175 60
Yarmouth, for support of Thomas Peters till his death, Black Let, and Anna Knight, to May 19, 1831,	56 02
Aggregate of Pauper Accounts,	<hr/> \$25,354 92

**MILITARY ACCOUNTS.****649****MILITARY ACCOUNTS.***Court Martial.*

General Court Martial holden at Lenox, 22d March,  
1831.

<i>Members,</i>	Maj. Gen. Nathan Heard, <i>President</i>	37 00
<i>Brig. Gen.</i>	Lyman Judd,	18 30
"	Alanson Clark,	24 60
<i>Colonel,</i>	David Wood;	23 00
"	Grenville D. Weston,	19 30
<i>Major,</i>	W. Porter, jun. <i>Judge Adv.</i>	36 50
<i>Major,</i>	Daniel B. Bush, <i>Marshall,</i>	18 70
<i>Serg't,</i>	Howard Chamberlain, <i>Ord'y,</i>	14 20

*Witnesses.*

Timothy Wainwright,	3 12
Melancthon Lewis,	2 64
Isaac W. Taylor,	2 06
Bidwell Brewer,	2 74
Joel Kilbourn,	3 62
Increase Sumner,	3 62
Daniel A. Garfield,	3 86
Orel A. Thorp,	3 58
Lyman Hall,	2 20
Franklin Weston,	5 08
John Whiting,	2 12
Edson Sexton,	4 30
Henry Raymond,	1 50
Levi Crocker,	2 64

*Summoning Witnesses.*

Ebenezer Williams,	0 14
Joseph Palmer,	1 14
Miles Bartholomew,	1 96
Julius P. Rockwell,	1 74
John Pomroy,	1 33

## MILITARY ACCOUNTS.

Franklin Weston, serving Warrants, &c.	13 40
W. Porter, jun. <i>Judge Adv.</i> for Stationary,	5 00
Joel Davis taking care of Court House, fuel, &c.	15 00

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Aggregate Court Martial,	274 39
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*Aid de Camp.*

Charles Ely, to Dec. 31, 1830,	34 37
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*Brigade Major.*

Truman Clark, to December 31, 1830,	40 00
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*Adjutants.*

John Towne, to May 21, 1831,	25 00
William H. Squire, to Dec. 31, 1830,	25 00
Chauncey R. Baldwin, to Dec. 31, 1830,	25 00
Isaac Bartlett, to Dec. 31, 1830,	15 00
Oliver Harrington, to July 9, 1830,	13 10
Reuel Lawrence, to Dec. 31, 1830,	33 33
Timothy Jones, to May 2, 1830,	8 40
Elias Wright, to Dec. 31, 1830,	14 10
Edwin Bosworth, to Dec. 31, 1830,	15 00

*Hauling Artillery.*

Joseph B. Fowle, 1830,	12 00
William Morse, 1830,	10 00
Leonard Wilmarth, jun. 1830,	5 25
George W. Houghton, 1830,	5 00

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Aggregate Brig. Maj. Adjutants, and Hauling Artillery,	\$280 55
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Aggregate of Military Account,	\$554 94
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 AGGREGATE OF ROLL, NO. 105.

Pauper Accounts,	\$25,354 92
Military Accounts,	554 94

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Total, Roll No. 105,	\$25,909 86
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## COMMONWEALTH OF MASSACHUSETTS.

*A Resolve for the payment of Roll No. 105 of Pauper and Military Accounts.*

*Resolved*, That there be allowed and paid out of the Public Treasury, to the several persons and corporations mentioned in this roll, the sums set against their names respectively, amounting in the whole, to twenty five thousand, nine hundred and nine dollars, and eighty six cents, the same being in full discharge of all the accounts, and demands to which they refer, and his Excellency the Governor is hereby requested to draw his warrant accordingly.

*In Senate, June 15, 1831.—Read twice and passed,  
Sont down for concurrence;*

**LEVERETT SALTONSTALL** *President:*

*In House of Representatives, June 16, 1831.—Read twice and passed in concurrence.*

**W. B. CALHOUN**, *Speaker.*

*June 17, 1831,*

*Approved,*

**LEVI LINCOLN.**

## **Commonwealth of Massachusetts.**

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**TREASURY OFFICE JUNE 15, 1831.**

The Treasurer having examined and adjusted the accounts presented to him, asks leave to Report, that there is due to the several persons enumerated on the following Roll, the sums set against their names respectively, which, when allowed and paid, will be in full discharge of the said accounts to the dates therein mentioned.

Respectfully submitted,

**JOSEPH SEWALL, *Treasurer,***

*To the Honorable Senate*

*and House of Representatives.*

**ROLL OF ACCOUNTS AUDITED BY THE  
TREASURER, AND REPORTED  
15TH JUNE, 1831.**

**PRINTERS.**

Adams, & Hudson, newspapers to June 15, 1831, and publishing laws to May, 1831,	\$132 29
Ballard & Co. papers to June 15, 1831, publishing laws, &c. to June, 1831,	101 14
Badger and Porter, papers to June 14, 1831,	90 35
Beals and Homer, papers to June 15, 1831, publishing laws, &c. to June 1831,	70 30
Buckingham, Joseph T., papers to June 15th, 1831,	82 88
Colton, S. H. & C., publishing laws to May 1831,	16 67
Carter, Hendee and Babcock, papers to June 18, 1831,	13 03
Clapp, William W, papers to June 11th, 1831, advertising, &c.,	38 87
Dutton and Wentworth, printing	
for the Senate,	577 20
Do. " " House,	382 37
Do. " " Secretary,	680 92
Do. " " Treasurer,	259 63
Do. " " Adjutant General,	226 74
Do. " " Land Office,	109 24
Papers to June 15, 1831,	3 44
	<hr/>
	2,239 54
Grout, Moses W., publishing laws, 1830 and 1831,	16 67
Huntington, I. D., publishing laws to Dec. 1830, and advertising amendments,	25 00

Hill, F. S. papers to June 11th, 1831, and advertising amendments,	46 69
Hale, Nathan, papers to June 15th, 1831,	43 08
Judd, Sylvester, publishing laws May 1830, and January, 1831,	16 66
Kneeland, Abner, agent for the Investigator, papers to June 15th, 1831,	5 08
Knowlton, J. S. C., publishing amendments and laws to May, 1831,	45 32
Lindsay, B. and Son, publishing Laws to May, 1831,	16 67
Lummus, Aaron, papers to June 15th, 1831,	4 02
Nichols, William, papers to June 11th, 1831,	6 18
Proprietors of Boston Christian Herald, papers to June 15th, 1831,	26 54
Proprietors of Boston Press, advertising and publishing laws to June 1831,	51 57
Palfray, Warwick, Jr., publishing laws to June, 1831,	16 67
Rogers, E. P., publishing amendment of constitution,	8 33
Russell, J. B., papers to June 12, 1831,	33 29
Reed, David, papers to June 11, 1831,	11 25
True and Greene, papers to June 11th, 1831,	27 61
Willis, Nathaniel, papers to June 15th, 1831,	16 44
Wood & Sevey, papers to June 11th, 1831,	4 84

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\$ 3,207 01

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### MISCELLANIES.

Adams, Wm. & G. W., repairs,	30 38
Burdiut, James W., stationary for	
Secretary,	98 04
Treasurer,	1 20
Adjutant General,	22 22

# MISCELLANIES.

655

Library,	17 92	
Legislature,	261 84	
	<hr/>	401 22
Blaney, Henry, repairs, &c.,		38 65
Bradlee, Samuel, and son, hardware,		9 64
Bacon, Henry, Assistant Messenger to June 18th, 1831,		52 00
Chase, Warren, Assistant Messenger, to June 18, 1831,		52 00
Cutting, E. W. and Son, assistant messenger, and page, to June 18, 1831.		70 00
Gore & Baker, Painting,		5 00
Goodrich, I. W. Stationary for Secretary,		24 00
Jackson, Hon. Charles, for payment to L. Stanwood for copying act for relief of Insolvent debtors,		35 00
Jacob Kuhn, balance of account current,		34 61
Loring, Josiah, Stationary for		
Treasurer,	40 53	
Secretary,	28 75	
	<hr/>	69 28
Loring, Benjamin, & Co. paper for Adjutant General,	4 50	
Secretary,	2 25	
	<hr/>	6 75
Murphy, David, Assistant Messenger, to June 18th, 1831,		48 00
Pitts, Sarah, for her son's services as Page, to June 18th, 1831,		22 00
Rogers, Isaiah, drawing plans for fire proof rooms,		40 00
Snelling, Enoch H. glazing and cleaning windows,		57 02
Wheeler, John H. repairs to June 13th, 1831,		172 74
		<hr/>
		\$1,168 29



## SHERIFFS.

Austin, Nathaniel, returning votes to May 14th, 1831,	15 22
Folger, P. S. returning votes to April 9th, 1831,	10 40
Hoyt, Epaphras, returning votes to May, 1831,	8 00
Leonard, Horatio, returning votes to May, 1831,	27 87
Phelps, John, returning votes to May, 1831,	39 60
Sprague, Joseph E. returning votes to May, 1831,	22 00
Pease, Isaiah D. returning votes to April, 1831,	8 00
	<hr/>
	\$131 09

## CORONERS.

French, Isaiah B. charges of Inquisitions,	19 39
Kempton, Ephraim, charges of Inquisitions,	14 05
Knowles, Henry, charges of Inquisitions,	7 00
Livermore, Walton, charges of Inquisitions,	8 73
Newcomb, Jeremiah, charges of Inquisitions,	14 25
Snow, Prince, charges of Inqui-	
sition, May 7, 1831,	9 88
June 8, 1831,	13 14
	<hr/>
	23 02
Stowers, Joseph, charges of Inquisitions,	11 83
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	\$98 27

## AGGREGATE.

Printers,	3,207 01	
Miscellanies,	1,168 29	
Sheriffs,	131 09	
Coroners,	98 27	
	<hr/>	4,604 66
		<hr/>
		\$4,604 66

The Committee on Accounts to whom was referred the treasurer's Roll of Accounts, have examined the same, and find them well vouched and rightly cast, ask leave to report the following resolve, which is respectfully submitted,

In behalf of the Committee,

● E. HOYT, *Chairman.*

### **Commonwealth of Massachusetts.**

In the year of our Lord one thousand eight hundred and thirty one.

*Resolved*, That there be allowed and paid, out of the public treasury, to the several persons mentioned in the foregoing roll, the sums set against such persons names respectively, amounting in the whole to the sum of four thousand six hundred and four dollars and sixty six cents; the same being in full discharge of the accounts and demands to which they refer: and his Excellency the Governor is requested to draw his warrant accordingly.

In Senate, June 20, 1831,

Read twice and passed,

Sent down for concurrence,

LEVERETT SALTONSTALL, *President.*

In House of Representatives, June 21, 1831.

Read twice and passed in concurrence,

W. B. CALHOUN, *Speaker.*

June 21, 1831.

Approved,

LEVI LINCOLN.

## **Commonwealth of Massachusetts.**

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SECRETARY'S OFFICE, AUG. 12, 1831.

I HEREBY CERTIFY, that I have compared the copy of the Resolves printed in this pamphlet with the original Resolves passed by the Legislature, in June last, and find the same to be correct.

EDWARD D. BANGS,

*Secretary of the Commonwealth.*

# INDEX.

## TO THE RESOLVES

FROM JUNE 1828, TO JUNE, 1831, INCLUSIVE.

### A.

Academy, Wesleyan, in Wilbraham, grant of land to, modified, &c.	97
Accounts, Committee of, paid for services,	51
"    Rolls of, audited by Com. on accounts, 56, 137, 155, 192, 312, 341, 408, 535, 559, 637.	
"    "    audited by Treasurer, 336, 351, 426, 529, 563, 653.	
"    against Commonwealth, how and when to be audited by Treasurer,	185, 245
Adams, Nathan, administrator, empowered to sell certain real estate,	279
Adjutant General, empowered with regard to land for a gunhouse in Springfield,	183
"    "    authorized to convey certain land in Greenfield,	280
"    "    directed to inquire respecting certain militia fines,	286
Agent for prosecuting Massachusetts Claim, to be appointed,	401
Agents for sale of public lands, accounts of, adjusted, paid for ser- vices, &c., (see also <i>Land Agent</i> .)	133, 521
Agricultural Societies, recommended by Governor to further patron- age,	88
"    Society, Massachusetts, certain provisions in favour of, rescinded,	296
"    "    "    former grant of land to modified,	120
"    "    "    allowance to,	514
Alabama, certain resolutions from, transmitted by Governor,	473

Allen, Caleb V., guardian, empowered to convey interest of a minor,	42
" Benjamin, and another, allowance to as former guardians of Christiantown Indians,	119
" Samuel, Treasurer of County of Worcester, directed to remit certain sum to Abner Bird,	119
Amendment of Constitution to be submitted to the people,	497
" " " tenth article of, how enrolled and pro- mulgated,	617, 620
Ames, Seth, Administrator, allowed to sell real estate,	520
Anatomy, further facilities for study of, recommended by Governor,	380
Arnold, Samuel F., pension granted to,	492
Arsenal, State, provisions respecting removal of,	518
Asylum for deaf and dumb, general provisions respecting support of pupils at,	104
" " " " " provisions for supporting particular in- dividuals at,	103, 248, 253, 488, 497, 509, 614
" " the Blind, appropriation in aid of,	295
Atwood, William T., to be supported at asylum for deaf and dumb,	253
Auction duties, in certain cases, to be refunded,	484

## B.

Balfour, Walter, former marriages by, made valid,	273
Bank, Sutton, affairs of, to be investigated by Committee,	244
" " expenses of investigation of, provided for,	289
" Farmers', affairs of, to be investigated,	244, 289
" Brighton, affairs of, to be investigated,	252, 253
" " expenses of investigation of, provided for,	292
" Bills, laws respecting form of, &c. to be revised,	621
Banks, in Massachusetts, condition of, to be inquired into, by Com- missioners,	406
" certain provisions respecting renewal and regulation of, recom- mended by Governor,	440
" Commissioners for examining, pay of, provided for,	502, 524
Barclay, Thomas, guardian, authorized to convey estate of certain mi- nors,	53
Bardwell, Josiah, and others, guardians, authorized to convey estate of certain minors,	38
Barnard, Francis, administrator, may file certificate of notice of sale of estate, &c.	508
Barnstable County, Courts in, to be furnished with laws, &c.,	502
" " taxes for, granted,	110, 265, 501
Bates, Oliver, administrator, authorized to convey estate of certain minors,	481, 482
Baxter, Edward W. grant to, on account of wound when on military duty,	478

# INDEX.

v

Berkshire, County of, Tax for, confirmed, . . . . .	108
“ “ Taxes for, granted, . . . . .	110, 264, 501
Bird, Abner, sum due from, to Commonwealth, remitted, . . . . .	119
Blind persons, provisions for ascertaining number of, . . . . .	132
“ “ appropriation for support of, . . . . .	295
Boott, Kirk, and others, petition of, granted, for survey of route for a rail road, . . . . .	189
Bounty lands, for revolutionary soldiers, further provisions for location of, . . . . .	113, 487
Briggs, Malborne, relieved from obligation in his recognizance, . . . . .	266
Bristol County, Commissioners of, empowered, with regard to tax of town of Westport, . . . . .	179
“ County, route for a rail road in, to be surveyed, . . . . .	189
“ “ Taxes for, granted, . . . . .	110, 264, 501
Brown, William, executor, empowered to sell certain real estate, . . . . .	291

## C.

Callender, William, allowance to, for services in revolutionary war, . . . . .	510
Canal, from Boston to Blackstone Canal, information concerning survey for, communicated by Governor, . . . . .	83
“ from Boston to Blackstone Canal, report concerning survey of route for, transmitted, . . . . .	107
“ from Boston Harbour to Narragansett Bay, copy of report respecting survey of, to be obtained, . . . . .	128
“ from Boston Harbour to Narragansett Bay, committee appoint- ed to assist in survey of, paid, . . . . .	128
“ from Boston to Narragansett Bay, information concerning survey for, communicated, . . . . .	176
“ between Buzzards and Barnstable Bays, documents respect- ing survey of route for, to be requested of United States Government, . . . . .	280
“ between Buzzard's and Barnstable Bays, information concern- ing survey of, communicated, . . . . .	384
Chaplains of Senate and House, compensation of, . . . . .	136, 310, 522, 631
Chappequiddic and Christiantown Indians, commissioners for divid- ing lands of, paid, . . . . .	106
Chappequiddic Indians, provisions for relief of, in division of lands, . . . . .	282
“ “ agent for visiting, paid for services, . . . . .	304
“ Indian, a pauper, support of, provided for, . . . . .	490
“ Indians, divisional line between, and patentees, &c., a new division of, to be made, . . . . .	616
Child, David, guardian, allowed to perpetuate evidence of notice of sale of real estate, . . . . .	275
Chilmark, part of, to be surveyed by state surveyor, . . . . .	490

Christiantown Indians, meetinghouse, &c. for, to be built, . . .	105
"          "          allowance to former guardians of, . . .	119
Claim of Massachusetts on General Government, ( <i>see Massachusetts Claim.</i> )	
Clapp, Derastus, and others, grant to, for prosecuting counterfeiter, . . .	480
Clark Jr., Noah, and another, grant to, for prosecuting counterfeiter, . . .	479
Clerks of Senate and House, compensation of, . . . 44, 52, 127, 135, 187, 307	
400, 402, 496, 523, 626	
Colonial Records in England, measures recommended to procure copies of, . . . . .	512
Colonization Society, designs of, recommended to Congress, . . .	509
Commissioners on W. Simpson's petition, allowed further time to report, . . . . .	47
"          on accounts of State prison, power and duty of, extended, . . . . .	48
"          to be appointed to build Lunatic Hospital, . . . . .	297
"          appointed to effect settlement respecting claims of trustees of Hopkins Charity, . . . . .	300
"          respecting Hopkins Fund, paid for services, . . . . .	405
"          to be appointed to inquire into condition of banks, . . . . .	406
"          for examining banks, paid for services, . . . . .	502, 524
"          to be appointed to negotiate respecting removal of state arsenal . . . . .	518
"          to be appointed to revise laws respecting debtor and creditor, . . . . .	523
"          to revise laws respecting poor debtors, &c., report of, transmitted, . . . . .	611
"          to be appointed to make division of line between Indians, &c., at Chappequiddie, . . . . .	616
"          to be appointed to revise laws respecting form of bank bills, &c. . . . .	621
"          to be appointed to agree upon system for sale, management, &c. of public lands, . . . . .	631
"          for examining Treasurer's accounts, pay of, provided for, . . . . .	634
Committee on Accounts paid for services, . . . . .	51
"          "          their rolls, 56, 137, 155, 192, 312, 341, 403, 535	
559, 637.	
Committee appointed to inquire concerning laws giving remedies in equity, . . . . .	281
Conant, James, grant to, for services in Revolutionary War, . . . . .	635
Congregational Society, First in Saugus, may sell real estate, . . . . .	284
Connecticut, certain resolutions from, transmitted by Governor, . . . . .	526
Constitution, amendments of, in representative system, recommended by Governor, . . . . .	382, 437, 592

# INDEX.

vii

Constitution, amendment of, to be submitted to the people,	497
"    tenth article of amendment of, to be enrolled and promulgated,	617—620
Cook, Mary, allowance to, for support of paupers,	276
Coolidge, Flavel, sum due from, to Commonwealth, remitted,	284
Cottle, John, and another, allowance to, as former guardians of Christiantown Indians,	119
Cotton, Rossetter, allowance to, for transcribing laws, &c., of Plymouth colony,	267
County Commissioners in Essex, to hold special session,	37.
"    "    in Bristol, may issue new warrant for tax to town of Westport,	179
County taxes granted,	103, 109, 264, 500.
Criminal Law, certain alterations in, relating to principals and accessories, recommended by Governor,	459—461
"    jurisdiction, transfer of, in certain cases, from S. J. C. to C. C. P. recommended by Governor,	461—464

## D.

Davis, Daniel, and others, Commissioners on W. Simpson's claim, allowed further time to report,	47
Deaf and Dumb, information respecting condition and support of, communicated by Governor,	87, 238
"    "    Dumb, further general provisions respecting support of, at Asylum,	104
"    "    Dumb, individual cases provided for, 103, 248, 253, 488,	497, 509, 614
Deane, John G. grant of half township of land in Maine to, confirm-	613
Debt, revision of laws respecting collection of, and imprisonment for, recommended by Governor,	179, 231, 464
Debtor and Creditor, laws respecting, to be revised,	523
"    "    report on revision of laws concerning, communicated to Legislature,	611
Delaware, certain Resolutions from, transmitted by Governor,	392, 612
Dexter, Franklin, executor, authorized to convey certain real estate,	505
Directors of Internal Improvement, appropriation in favor of,	55
"    "    "    may cause their Report to be printed, &c.,	92
"    "    "    report of, how distributed,	99, 180
Dorchester, certain old records and plans of, to be deposited in Norfolk Registry of Deeds,	269
Drew, Benjamin, allowance to, for services,	523
Dudley Indians, further provisions respecting guardians of,	121
Dukes County, taxes for, granted,	110, 265, 501



Durfee, Joseph, grant to, for services in Revolutionary War. . . . . 632

## E.

Eastern lands, information concerning condition, surveys, sales, &c.	
of, communicated by Governor,	85, 87, 225, 457, 491, 598
"    "    granted to old soldiers, further provisions concern-	
ing,	113, 467
"    "    small gores and slips of, undivided, to be sold,	115
"    "    six townships of, to be sold by agents,	116
"    "    agents for sale of, their accounts adjusted, paid for	
services, &c.	133, 521
"    "    grantees &c. of, allowed further time to settle,	485
"    "    roads over, authorized,	517
"    "    half township of, confirmed as a grant to John*G.	
Deane,	613
"    "    report of Committee respecting,	627—630
"    "    pine timber on parts of, to be sold,	630
"    "    certain portions of, to be surveyed and sold,	ib.
"    "    system for management and sale of, to be reported by	
commissioners,	631
Eaton, William, allowance to, for prosecuting criminal,	101
Electoral votes, form of, &c., provided for,	45
Equity, remedies in, to be inquired into by Committee,	281
Essex, County of, special session of county commissioners to be	
holden in,	37
"    "    taxes for, granted,	110, 264, 501
"    "    treasurer of, allowances to, for support of pau-	
pers,	190

## F.

Fairhaven; allowance to overseers of poor in,	280
Farmer's Bank, at Belchertown, affairs of, to be investigated,	244
"    "    "    expenses of investigating, defrayed,	289
Fellows, Jr., Daniel, guardian of Chappequiddic Indians, allowance	
to, for support of pauper,	490
Felt, Joseph B., authorized to use certain copies in General Court	
Library,	400
Fire proof edifice to be erected on north front of State House,	511, 616
Fisher Jr., James, to be supported at deaf and dumb asylum,	248
Fiske, Rufus, guardian, empowered to lease certain real estate,	294
Forster, Charles, judgment of Commonwealth against, remitted,	623
Fourth of July, resolves respecting executive celebration of, repealed,	113
Franklin, county of, taxes for, granted,	110, 264 501
Fuel, &c., for use of government, provided for,	50, 467, 405, 625

# INDEX.

ix

## G.

Gates, Samuel, executor, authorized to sell certain real estate,	272
Gay, Seth, certain money to be refunded to, from State Treasury,	621
General Court and Council, pay of, provided for,	50, 181, 398, 623
Geological survey of the state, recommended by Governor,	388
"    "    "    provisions respecting,	404, 479, 625
Georgia, certain resolutions and documents from, transmitted by Governor,	96, 101, 252
"    opinion expressed respecting proceedings of government of,	512
Gleason Jr., Reuben, support of, at asylum for deaf and dumb, provided for,	614
Governor, authorized to appoint guardians to Dudley Indians,	121
"    authorized, with advice of council, to settle accounts of former warden of state prison,	124
"    requested to apply to Secretary of War of United States, for certain documents,	128
"    requested to cause repairs in building containing statue of Washington,	132
"    requested to transmit to members of Congress resolutions respecting Massachusetts Claim,	263
"    authorized, with advice of council, to appoint a surveyor to make a survey of the state,	278
"    requested to procure documents respecting survey of canal route between Barnstable and Buzzard's Bays,	280
"    requested, with advice of council, to select a site for lunatic hospital,	296
"    authorized to cause certain repairs on state house,	303
"    requested to forward to senators in Congress, resolve respecting surveys for rail roads,	310
"    authorized, with advice of council, to appoint agents for prosecuting Massachusetts claim,	401
"    authorized to cause paint of State house to be painted, &c.	403
"    authorized, with advice of council, to appoint a person to make a geological survey of the State,	404
"    authorized, with advice of council, to appoint Commissioners to inquire into condition of banks,	406
"    authorized, with advice of council, to give directions respecting geological survey of the state,	479
"    requested to transmit to members of Congress and Governors resolves respecting militia,	501
"    requested to transmit to members of Congress resolves respecting colonization society,	509
"    authorized, with advice of council, to cause erection of fire proof edifice,	511

## INDEX.

Governor, requested to transmit to members of Congress resolves respecting colonial records, . . . . .	512
“ requested to transmit to members of Congress, and Governors, resolves respecting proceedings of Georgia, . . . . .	513
“ requested to cause a manual to be compiled respecting culture of Mulberry tree, &c., . . . . .	515
“ authorized, with advice of council, to appoint Commissioners to negotiate respecting removal of state arsenal, . . . . .	518
“ authorized, with advice of council, to appoint commissioners to revise laws respecting debtor and creditor, &c. . . . .	523
“ authorized, with advice of council, to settle accounts of Gen. William King, . . . . .	524
“ requested, with advice of council, to appoint superintendent of fire proof edifice, &c., at the state house, . . . . .	615
“ and council, authorized to appoint commissioners to make division of line between Indians and patentees, &c., at Chappequiddic, . . . . .	616
“ requested to announce, by proclamation, the ratification of tenth article of amendment to the constitution, . . . . .	620
“ with advice of council, authorized to appoint commissioners to revise laws respecting form of bank bills, &c. . . . .	621
“ Requested to transmit to governor of Maine copy of an act respecting ministerial and school fund interest in public lands, &c., . . . . .	622
“ authorized, with advice of council, to appoint commissioners to agree upon system for management, sale, &c., of public lands, . . . . .	631
Governor's messages, (for particulars see <i>Message</i> .) 37, 41, 71, 92, 93, 95, 96, 101, 107, 111, 179, 182, 211, 242, 243, 251, 276, 297, 304, 392, 393, 394, 435, 473, 476, 491, 495, 504, 526, 527, 610, 611, 612, 624.	
“ Speeches, (see also <i>Speech</i> .) . . . . .	21, 163, 376, 591.
Grafton Indians, certain estate of, may be sold by trustee, . . . . .	47
“ “ guardian of, empowered to exchange certain note, . . . . .	61
Gray, Henry, an alien, empowered to hold certain real estate, . . . . .	249
Greene, Thomas A., paid for services as bank commissioner, . . . . .	524
Greenleaf's survey of Maine, copies of, laid before legislature, . . . . .	182

## H.

Hampden, County of, taxes for, granted, . . . . .	110, 264, 501
Hampshire, County of, taxes for, granted, . . . . .	110, 264, 501
Hanscom, Joshua, empowered to exchange certain estate of his wife, . . . . .	254
Harris, Azor, appointed guardian of A. Richards, an Indian, . . . . .	43

# INDEX.

xi

Harris, Azor, guardian, authorized to sell real estate of A. Richards,	94
Harris, Thomas, late Warden of State Prison, accounts of, how audited,	124
Henry, William, executor, empowered to sell real estate,	287
Hobbs, Isaac, to receive deed of certain State Land in Maine,	489
Holden, Oliver, executor, authorized to file evidence of notice of sale of real estate,	184
Holland, town of, empowered to assess tax to reimburse town of Wales,	246
Hopkins Charity, provisions for settling claims and differences con- cerning,	300
“ “ Commissioners paid for certain inquiries concerning,	405
“ “ provisions in favor of trustees of,	525
Hopkinton, trustees of school fund in, may sell certain real estate,	489
Hospital, Lunatic, provisions for erecting,	296
“ Small Pox, at Rainsford Island, provisions for erecting,	624
Howe, Joseph N. and others, Commonwealth's right in certain land, released to,	111
Hubbard, Samuel, guardian, empowered to purchase and convey real estate,	190
“ “ and others, Executors, authorized to take original will of Hon. James Lloyd, from Probate Office,	633
Humphrey, Lemuel, and another, executors, empowered to sell real estate,	268

## I.

Imprisonment for Debt, (see <i>Debtor and Creditor</i> .)	
Inches, Henderson, authorized to execute deed in behalf of certain minors,	470
Independence, resolves respecting Executive celebration of, repealed,	113
Indexes to Journals of Senate and House, Clerks paid for preparing, and further provisions concerning,	44, 125, 400, 496
Indian, at East Bridgewater, placed under guardianship,	43
“ at Middleborough, guardian of, changed,	186
Indians at Grafton, certain estate of, may be sold,	47
“ at Christiantown, meeting house and school house to be built for,	105
“ at Chappaquiddic, &c. Commissioners paid for dividing lands of,	106
“ at Christiantown, allowance to former guardians of,	119
“ at Dudley, further provisions respecting guardians of,	121
“ at Marshpee, school-houses to be built for,	274
“ at Chappaquiddic, provisions for relief of, in division of land,	282
“ at Chappaquiddic, agent for visiting, paid for services,	304
“ at Chappaquiddic, allowance to guardian of, for support of pauper,	490
“ at Chappaquiddic; division of divisional line to be made be- tween them, and patentees, &c.	616
“ at Grafton, guardian of, may exchange certain promissory note,	617

Indians at Troy, guardian of, paid for support of certain individuals,	634
Insolvency, (see <i>Debtor and Creditor</i> .)	
Internal Improvements ;—further provisions concerning, (see also <i>Canal and Rail Road</i> .)	55, 92, 99, 123, 127, 128, 180, 189,
	280, 310, 469

## J.

Jeffries, John, guardian, authorized to execute deeds in behalf of a minor,	471, 472
Jennings, Eliza, to receive balance of her late husband's pension,	486
Journal of House of Representatives, clerk paid for preparing Index of,	44
Journals of Senate, provisions concerning, and index of, paid for,	135, 400, 496
Joy, Hannah, executrix, may execute deeds in behalf of a minor,	472

## K.

Kellogg, John, paid for services as aid de camp,	285
Kendall, Thomas, guardian, may perpetuate evidence of notice of sale of real estate,	274
Kibbe, William, grant of land to,	267
King, William, his accounts to be examined by governor and council,	524
Kuhn, Jacob, Messenger of General Court, paid for services, 52, 135, 188, 403, 636.	

## L.

Land agent, authorized to make deeds, in certain cases, to revolutionary soldiers,	113, 487
“ “ authorized to sell certain small tracts of land,	115
“ “ authorized to join in sale of six townships in Maine,	116
“ “ accounts of, adjusted, paid for services, &c.	133, 521
“ “ authorized to convey certain land to William Kibbe,	267
“ “ authorized to convey certain land to Isaac Hobbs,	489
“ “ authorized to survey and lay out a road over state lands in Maine,	517
“ “ authorized to sell pine timber of public lands,	630
“ “ authorized to survey and sell certain portions of land,	630, 631
Lands, (see <i>Eastern Lands</i> , and <i>Land Agent</i> .)	
Lawrence, Francis, paid for services at state prison,	504
Leland, Cyrus, trustee of Grafton Indians, empowered to sell real estate,	47
“ “ trustee of Grafton Indians, may exchange certain note of hand,	617
Lombard, Daniel, administrator, authorized to convey certain pews in first Parish Meetinghouse in Springfield,	94

# INDEX.

xiii

Louisiana, certain resolutions from, transmitted by governor,	179, 527
Low, John V., assistant messenger to governor and council, pay of, provided for,	53, 133, 188, 311, 401, 526, 636.
Luce, Elisha, authorized to build a wharf in Rochester,	184
Lunatic Hospital, provisions for erection of,	296
“ “ information concerning progress of, communicated by Governor,	385

## M.

Maine, certain documents from, transmitted by Governor,	491
“ payment to be made to, on account of Massachusetts Claim,	519
“ documents from, respecting public lands, &c. transmitted,	610
“ certain act, respecting interest of ministerial funds, &c. in lands, to be sent to,	622
Manufacturing Corporations, revision of laws relating to, recommended by Governor,	228—230
Map of the Commonwealth, (see <i>State Survey</i> .)	
Marshpee Indians, two school houses to be built for,	274
Massachusetts Agricultural Society, grant of land to, modified,	120
“ “ “ certain provisions in favor of, repealed,	296
“ “ “ allowance to, for expenses in botanic garden,	514
“ Claim, information respecting, communicated by Governor,	83
“ “ further information, respecting, communicated by Governor,	234
“ “ Report and Resolves in relation to,	256—263
“ “ Governor's remarks concerning,	389
“ “ information of law respecting, passed by Congress, communicated,	394
“ “ appointment of Agent to attend to adjustment of, provided for,	401
“ “ information respecting condition and prospects of, communicated by Governor,	443—447
“ “ partial adjustment of, announced by Governor to the Legislature,	504
“ “ payment of portion of, belonging to Maine, provided for,	519
“ “ report of Agent respecting, &c. communicated by Governor,	602, 610
“ term Reports, provisions for supplying deficient copies of, to towns,	510
Mayor and Aldermen of Boston, appointed to erect Small Pox Hospital at Rainsford Island,	624

Medford, town of, allowance to, for support of paupers,	292
Members of Council, Senate, and House, pay of, provided for,	50, 181, 398, 623
Message of Governor, transmitting documents respecting N. E. boundary,	37
“ “ transmitting report of Commissioners on accounts of State Prison,	41
“ “ at opening of the Session, Jan. 7, 1829,	71
“ “ transmitting copies of certificates made by Commissioners for examining specie in Banks,	92
“ “ informing of resignation of Maj. Gen. Austin, of 3d Division,	93
“ “ transmitting information of proceedings on William Simpson's claim,	95
“ “ transmitting documents received from Governor of Georgia,	96
“ “ transmitting additional documents from Georgia,	101
“ “ transmitting report of Commissioners of Internal Improvement,	107
“ “ transmitting report of Commissioners on William Simpson's claim,	111
“ “ transmitting documents referred to in Speech of May 30, 1829,	179
“ “ transmitting copies of Greenleaf's survey of Maine, &c,	182
“ “ at opening of the Session, January 6, 1830,	211
“ “ transmitting Resolutions from Vermont, Missouri and Mississippi,	242
“ “ transmitting report of survey for a rail road from Boston to Lowell,	243
“ “ transmitting Resolutions from Pennsylvania and Georgia,	251
“ “ transmitting communication from Attorney General, respecting escheated estate in Weymouth,	276
“ “ informing of resignation of Maj. Gen. Leach, of 5th Division,	297
“ “ returning to House a bill respecting Costs, with his objections,	304
“ “ transmitting documents referred to in Speech of May 29, 1830,	392
“ “ transmitting report of Inspectors of State Prison,	392
“ “ relating to terms of S. J. Court in Bristol and Essex,	393
“ “ informing of resignation of Maj. Gen. Gregory, of 6th Division,	394

# INDEX.

xv

<b>Message of Governor, relating to Massachusetts Claim,</b>	<b>394</b>
“ “ at opening of the Session, January 5, 1831, .	435
“ “ transmitting Resolutions from Alabama, .	473
“ “ returning to Senate, a bill “to incorporate the Pigeon Cove Harbor Company,” with his objections, . . . . .	476
“ “ transmitting documents from Maine, relating to the public lands, . . . . .	491
“ “ transmitting Resolutions from Ohio, .	495
“ “ informing of settlement in part of Massachu- setts Claim, . . . . .	504
“ “ transmitting Resolutions from Connecticut, Vermont and Louisiana, . . . . .	526
“ “ informing of resignation of Maj. Gen. Wash- burn, of 5th Division, . . . . .	527
“ “ transmitting Report of Agent for Massachu- setts Claim, and Documents relating to N. E. Boundary, . . . . .	610
“ “ transmitting certain Documents from Maine, .	610
“ “ transmitting report respecting poor debtor laws, .	611
“ “ transmitting certain documents from Delaware, .	612
“ “ suggesting occasion of a new appropriation for State Survey, . . . . .	624
<b>Messenger of General Court, allowance to, for purchase of fuel, &amp;c.</b>	<b>50, 187, 405, 635</b>
<b>Messenger, Artemas S. support of, at Asylum for Deaf and Dumb, provided for, . . . . .</b>	<b>497</b>
<b>Middlesex, County of, taxes for, granted, . . . . .</b>	<b>110, 264, 501</b>
<b>Militia, further provisions for arrangement and organization of, recom- mended by Governor, . . . . .</b>	<b>36, 218, 222, 465</b>
“ Fines, inquiry respecting, directed, . . . . .	286
“ better organization of, by Congress, recommended, .	501
<b>Mill Lane School District in Beverly, proceedings of, confirmed, .</b>	<b>520</b>
<b>Minot, William, and another, trustees, authorized to mortgage certain real estate, . . . . .</b>	<b>507</b>
<b>Missouri, certain Resolutions from, transmitted by Governor, .</b>	<b>242</b>
<b>Mississippi, certain Resolutions from transmitted by Governor, .</b>	<b>242</b>
<b>Morrill, James, and others, allowance to, for use of land by the State, .</b>	<b>108</b>
<b>Morse, jr. Nathan P. support of, at Asylum for deaf and dumb, pro- vided for, . . . . .</b>	<b>488</b>
<b>Mulberry tree, manual respecting growth of, to be compiled, .</b>	<b>515</b>
<b>Manroe, Jonas, administrator, empowered to sell real estate, .</b>	<b>298</b>
“ “ “ empowered to convey deeds of estate sold by him, . . . . .	483



## N.

Needham, town of, Commonwealth's right in certain escheated land, released to, . . . . .	622
New Bedford, allowance to overseers of poor in, . . . . .	286
Nichols, Esther, and others, boundary line of land belonging to, to be established, . . . . .	134
Norfolk, registry of deeds, certain plan, &c. to be deposited in, . . . . .	269
Norfolk, county of, taxes for, granted, . . . . .	110, 264, 501
Northbridge, town of, allowance to, for support of paupers, . . . . .	518
North Eastern Boundary, information respecting, communicated by Governor, . . . . .	34, 599, 602, 610
Nutting, Phinehas S., allowance to, on account of wound when on military duty, . . . . .	104

## O.

Oakham, town of, to be indemnified for expenses in supporting a certain minor, . . . . .	255
Ohio, certain resolutions from, transmitted by Governor, . . . . .	292, 495
Orne, Sarah, allowance to, . . . . .	256
Osgood, Isaac P., guardian, empowered to sell certain real estate, . . . . .	246

## P.

Parker, Isaac, late chief justice, allowance to estate of, . . . . .	470
Pennsylvania, certain resolutions from, transmitted by Governor, . . . . .	251
Pension granted to Martin Wheelock, . . . . .	121
" renewed to Martin Wheelock, . . . . .	477
" balance of, granted to Eliza Jennings, . . . . .	486
" granted to Samuel T. Arnold, . . . . .	492
Perkins, Thomas H., and others, executors, empowered to convey certain real estate, . . . . .	96
" " " " " empowered to sell estate of certain minors, . . . . .	298
" Seth, grant to, on account of wound, when on military duty, . . . . .	251
Perry, William, authorized to convey land, and quiet the title of certain minors, . . . . .	134
Petersham, town of, allowance to, for support of paupers, . . . . .	496
Pettingell, John, deceased, right of grand children in estate of, may be conveyed, . . . . .	265
Plans of the several towns in Massachusetts, required to be taken, . . . . .	270
Plymouth, county of, taxes for, granted, . . . . .	110, 264, 501
" rail road from, to Wareham, route of, to be surveyed, . . . . .	133
" colony laws, &c. of, transcript provided for, . . . . .	267
" Popkin, J. S. guardian, authorized to sell real estate, . . . . .	125

# INDEX.

xvii

Porter, Jr., William, reimbursed certain expenses on public account,	249
President and Vice President, forms of votes for electors of prescribed,	45
Prison Discipline Society, reports of, to be purchased by legislature, 183,	469
Proctor, Nicholson B., administrator, may file certificate of notice of sale of real estate, &c.,	515
Public lands, (see <i>Eastern Lands.</i> )	

## Q.

Quarter Master General's Department, appropriations for,	125, 307, 632
--	---------------

## R.

Rail Roads, surveys of routes for, and provision for construction of, recommended by Governor,	25, 28, 81, 83, 167, 213, 217
“ “ reports respecting, how printed and distributed,	92, 99, 180
“ “ General Government requested to cause surveys for, to be made,	310
“ Road, from Boston to Providence, information concerning survey of route for, communicated by Governor,	81
“ “ from Boston to Hudson River, information concerning survey for, communicated by Governor,	ib.
“ “ from Plymouth to Wareham, route of, to be surveyed,	123
“ “ from Plymouth to Wareham, report concerning survey of, communicated,	177
“ “ from Lowell to Boston, route of, to be surveyed,	189
“ “ from Taunton, to route from Boston to Providence, survey to be made,	ib.
“ “ from Lowell to Boston, information concerning survey of route for, communicated by Governor,	217, 243
“ “ from Taunton, to point between Boston and Providence, information concerning survey for, communicated by Governor,	218
“ “ from Boston to Lake Ontario, report respecting route for, to be purchased,	469
Rainsford Island, appropriation for new Small pox Hospital at,	624
Rand, Edward S. and another, authorized to convey certain real estate,	265
Records and files, in Secretary's Office, directions concerning arrangement, &c. of,	124
Remedies in equity, laws respecting, to be revised,	281
Representatives' Chamber, payment for repairs in, provided for,	103
Returns of votes, information of delinquencies in, to be given to Legislature,	134
Revolutionary services, grants and allowances in consideration of,	113, 487, 510, 626, 632, 635

Robbins, Vina, allowance to, of fees due her late husband as a witness,	100
Robinson, William, discharged as guardian of Dudley Indians,	121
Rolls of Accounts, audited by Committee of Accounts, 56, 137, 155,	
192, 312, 341, 406, 535, 559,	637
“ “ audited by Treasurer, 336, 351, 426, 529, 563,	653
Root, Joseph, allowance to, for military services,	283
Rudberg, J. N. information respecting sale of his escheated estate,	
communicated,	24

## S.

Sandwich Monthly Meeting, overseers of, may sell certain real estate,	486
“ “ “ further empowered as to proceeds of sale of	
estate,	620
Saugus, First Cong. Society in, may sell real estate,	284
School Returns, to be printed and distributed,	309
Secretary, directed to furnish towns with forms, &c. for choice of	
Electors of President,	45
“ directed to arrange public files and records,	124
“ directed to report towns delinquent in returning votes,	134
“ authorized to purchase Reports of Prison Discipline Society for use of Government,	183, 469
“ directed to purchase Report respecting rail road from Boston to Lake Ontario,	469
“ directed to furnish to towns, &c. copies of laws and reports,	502, 510
Senators in Congress, requested to apply for certain surveys of routes for rail roads,	310
Shaw, Lemuel, appointed to inquire respecting laws in relation to remedies in Equity,	281
Shirley, town of, allowance to, for support of paupers,	309
Silk, manual to be compiled respecting culture of,	515
Simpson, William, Commissioners on his claim allowed further time to report,	47
“ “ report of Commissioners on claim of, transmitted by Governor,	111
Solicitor General, further directed as to suit against town of Tyingham,	117
“ “ directed to assist in investigating affairs of Brighton Bank,	253
South Carolina, certain Resolutions from, transmitted by Governor,	179
Speech of Governor, June 2, 1828,	21
“ “ May 30, 1829,	163
“ “ May 29, 1830,	376
“ “ May 30, 1831,	591
Springfield, doings of town of, confirmed,	488

# INDEX.

xix

Staples, Nathaniel, appointed guardian of B. Simon, an Indian, . . .	186
State House, repairs at, and addition to, authorized, 103, 132, 303, 403 511, 615	
State Prison, information concerning affairs and condition of, commu- nicated by Governor, . . . 23, 77, 80, 175, 222, 225, 451, 454	
“ “ report of Commissioners on accounts of, transmitted, . . .	41
“ “ power and duty of Commissioners on accounts of, ex- tended, . . . . .	48
“ “ grant for erecting a new building at, . . . . .	49
“ “ appropriations for support of, . . . . 118, 186, 255, 514	
“ “ accounts of late Warden of, to be laid before Governor and Council, . . . . .	124
“ “ convicts discharged from, inquiries to be made as to means of employing, . . . . .	283
“ “ provision for erecting a Chapel at, . . . . .	290
“ “ report of inspectors of, transmitted, . . . . .	392
State Treasury, information respecting state of, laid before Legislature, by the Governor, . . . . 28, 32, 76, 173, 226, 384, 454	
Statue of Washington, provisions for repair of building containing it, . . .	132
Stearns, Nathaniel, and another, guardians, authorized to sell real estate, . . .	117
Stedman, Thomas, paid for certain services for the public, . . . . .	48
Stone, Theodore, guardian, authorized to convey real estate, . . . . .	492
Stubbs, E. A. K., provision for support of, at Asylum for deaf and dumb, . . . . .	509
Survey of Commonwealth, provided for, . . . . .	272
“ “ information concerning, communicated by Gov- ernor, . . . . .	387
“ “ further provisions respecting, . . . . .	404
“ “ further information concerning communicated by Governor, . . . . .	448, 451
“ “ further provisions concerning, . . . . .	479
“ “ to be extended, by State Surveyor, to part of Chilmark, . . . . .	490
“ “ further appropriation for, recommended by Governor, . . .	624
“ “ further appropriation for, . . . . .	625
Surveys of Towns, provided for, . . . . .	270
“ “ further time allowed for returning, . . . . .	494
“ “ of unincorporated tracts, &c. to be made, . . . . .	495
“ Routes for Rail Roads, &c. (see <i>Canal, Rail Roads, and Internal Improvements.</i> )	
Sutton Bank, affairs of, to be investigated, . . . . .	244
“ “ expenses of investigating affairs of, provided for, . . . . .	289

## T.

Taber, late representative, funeral expenses, &c., of, paid, . . .	110
Tax of Berkshire county, assessment of, for 1828, confirmed, . . .	108
Taxes for the several counties, granted, . . .	108, 109, 264, 500
Thayer, Minot, and others, paid for services as Committee of General Court, . . .	128
Towns required to make surveys, (see also <i>Surveys of Towns.</i> ) . . .	270
“ to be furnished with complete sets of reports, . . .	510
Treasurer of Commonwealth, empowered to borrow money, 43, 93, 181, 248, 399, 478, 615	
“ “ required to audit certain accounts against the Commonwealth. . .	185, 245
“ “ further directed respecting auditing of accounts, . . .	245
“ “ rolls of accounts audited by, 336, 351, 426, 529, 563, 653.	
“ “ directed to refund certain auction duties, 484	
“ “ Commissioners for examining accounts of, how paid, . . .	634
Troy Indians, guardian of, paid for support of certain paupers, . . .	634
Trull, Ezra, guardian, authorized to convey estate of certain minors, . . .	396
Trustees of Hopkins' Charity, provisions for adjustment of claims of, against tenants, &c., . . .	300
Tufts, Turell, administrator, may file certificate of notice of sale of real estate, . . .	516
Tyler, John S., guardian, authorized to convey estate of certain minors, . . .	397
Tyringham, directions respecting suit against town of, . . .	117

## U.

Unincorporated Tracts of Land, surveys of, provided for, . . .	495
--	-----

## V.

Valuation, preparatory measures for, recommended by Governor, . . .	596, 598
Varnum, Benjamin F., guardian, allowed to perpetuate evidence of notice of sale of real estate, . . .	308
Vermont, certain resolutions from, transmitted by Governor, . . .	242, 526
Virginia, certain public documents from, transmitted by Governor, . . .	179
Votes, returns of, directions respecting, when not seasonably made, . . .	134

## W.

Wade, Thankful, administratrix, authorized to convey real estate, . . .	98
“ “ “ further authorized to convey real estate, . . .	129

# INDEX.

xxi

Wales, town of, to be repaid certain expenditures, by town of Holland	246
Warden of state prison, former, his accounts how audited, (see also <i>State Prison</i> .)	124
Ware, Elias, grant to, for loss of property, in War of Revolution,	626
Wareham, route of rail road to, from Plymouth, to be surveyed,	123
Warriner, Solomon, and others, petition of, respecting land for gun-house, in Springfield, granted,	183
Washington, statue of, provisions for repairing building in which it is erected,	132
Weaver, Sheffield, guardian of Troy Indians, paid for support of certain paupers,	634
Wesleyan academy, in Wilbraham, further provisions respecting grant of land to,	97
Westport, town of, new warrant for tax to be issued to,	179
Wharf in Rochester, may be built by Elisha Luce,	184
Wheeler, J. H. and others, payment to, for repairs at state house,	103
Wheelock, Martin, pension of, renewed,	121
“ “ pension of, again renewed,	477
Whitney, Moses, administrator, allowed to perpetuate evidence of notice of sale of real estate,	122
“ “ “ further empowered to perpetuate evidence, &c.,	250
Wilby, Francis, discharged from imprisonment,	38
Winchendon, town of, allowance to, for support of paupers,	496
Wing, Joshua, and others, overseers, &c., may convey certain real estate,	486
Withington, Relief, guardian, authorized to sell real estate,	493
Worcester, county of, allowance to, for use of House of Correction,	303
“ “ taxes for, granted,	110, 264, 501
Wounded Soldiers, grants and pensions to,	104, 121, 251, 477, 478, 492









1



